

Louisiana, he knew that area as well as anyone.

As a result of his good work on that, enough votes were gathered on the Democratic side of the Congress to pass that legislation. Without his work it could not have happened, and we would not be in the economic situation we are in today where we have reduced a series of 30 to 40 years of yearly deficits to now where we are having a surplus, where we are talking now about what we are going to do with the budget surplus.

A lot of what we are talking about today is the direct result of work in that legislation and other pieces of legislation by Senator BREAUX.

In short, I want to make sure that Senator BREAUX and the people of Louisiana understand our appreciation for the work that he has done with his Medicare Commission and what he has done as a Member of Congress generally.

I have worked as a legislator on the State level, and back here now for going on 17 years. I think JOHN BREAUX is really an example we can all look to. I repeat, if a difficult problem arises, we call upon JOHN BREAUX to be part of the consensus building. Legislation is the art of compromise, the art of consensus building. And no one stands for being a good legislator more than Senator JOHN BREAUX.

As far as the Medicare problem he worked on, as a result of his leadership, it is going to mean a great deal to this country. As Senator BREAUX has said, the battle is not over. He said, "I'm going to keep working on this issue as long as I'm in Congress."

So I again extend my appreciation and applause and recognition to Senator JOHN BREAUX for the good work that he did on this legislation. I do not know of anyone that could have accomplished what he did. It was a masterful piece of work. The people of the State of Nevada and this country should be as appreciative as we are of the work that he has done.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### NATIONAL MISSILE DEFENSE ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 257, which the clerk will report.

The bill clerk read as follows:

A bill (S. 257) to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

The Senate resumed consideration of the bill.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota—North Dakota.

Mr. DORGAN. Mr. President, I am from one of those Dakotas.

The PRESIDING OFFICER. The distinguished Senator from North Dakota.

Mr. DORGAN. Mr. President, thank you very much for your generous description.

#### PRIVILEGE OF THE FLOOR

Mr. DORGAN. I ask unanimous consent, on behalf of a colleague, that the privileges of the floor be granted to the following member of Senator BIDEN's staff: Ms. Joan Wadelton, during the pendency of the National Missile Defense Act, S. 257. And the request is for each day the measure is pending and for rollcall votes thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, thank you.

Mr. President we are now returning to the National Missile Defense Act of 1999, which is a very important policy issue before the Senate. My expectation is we will complete work today. I had noticed two amendments; and I shall not offer the amendments today, to the relief of those who are counting the amendments that are ahead of us.

But I did want to take the floor to at least describe especially the substitute amendment, because while I will not offer it to this bill, this is really a debate about policy. This policy will not mean anything until it is funded.

The real debate will be on the appropriations, it seems to me. What is it we want to buy and pay for? We can talk until we are blue in the face, but if we are not willing in an appropriations process to pay for a policy, it is not going to be deployed.

Let me talk a bit about that. My substitute amendment will be something that I will likely offer during an appropriations debate and will wait until that day for a vote.

The proposition before the Senate offered by my colleague, Senator COCHRAN, is very simple. Yesterday, I was holding something from Senator LOTT and when I was referring to Senator COCHRAN I called him Senator LOTT, for which I apologized. I certainly know the difference, and I respect both of them immensely. Senator COCHRAN has offered a proposal on the floor of the Senate that says it shall be the policy of this country to deploy a national missile defense system as soon as technologically feasible. In other words, notwithstanding other issues, as soon as it is technologically feasible to put a national missile defense system in place, we should do so.

What is this national missile defense system? We had one once, 24 years ago, in my home State. This country built the only antiballistic missile system that was ever built in the free world.

Members ought to see the concrete that was poured, this huge concrete building in northeastern North Dakota, a sparsely populated region of our State, where the ABM, antiballistic missile, system was built. In today's dollars it costs about \$20 billion. It was declared operational 1 day and mothballed the very next day. It produced a lot of good jobs in northeastern North Dakota as a result, a lot of construction, a lot of building.

But what did we get for our money? And was a national ballistic missile defense system feasible 24 years ago? The answer, I suppose, is yes. We had a national ballistic missile site built and declared operational 24 years ago, so it was feasible. It used a different technology. The proposition was if we were attacked by some incoming missile from some hostile power, we would send up these antiballistic missiles with nuclear warheads on our missiles and we would shoot off a nuclear warhead somewhere in the heavens and we would destroy all the incoming missiles. That was the technology then, and we built it—paid a lot of money for it—and it was declared mothballed the day after it was operational.

Now the proposition is that the national missile defense is a different kind of technology. It has the ability to hit a bullet, a speeding bullet, with another bullet. That is the proposition. We have had a lot of tests—a few successful, most unsuccessful. It is a very difficult proposition.

The experts in the Department of Defense tell us that they have spent as much money as they can spend to pursue the technology to build a national missile defense system, but the technology does not yet exist. Now, when the technology does exist, what kind of consideration should exist in terms of its deployment?

Russia has a lot of weaponry; Russia, of course, is the dominant country in what was the old Soviet Union. Their weaponry consists of a great many nuclear warheads on top of intercontinental ballistic missiles and bombers. We need to be concerned about those. As a result of that, we have engaged with the old Soviet Union and now Russia in a regime of arms reductions. Arms control talks resulted in START I and START II. The Russians, we hope, are prepared very soon to adopt START II. We have already done so.

As a result of all of that, yesterday I held up part of the wing of a Russian bomber. Last year, I held up a metal flange from the door of, I believe, an SS-19, an intercontinental ballistic missile that held a nuclear warhead, a missile aimed at the United States. Yesterday, I held up at this desk a wing strut from a Russian bomber; one would have expected in the cold war that the only way you would hold a piece of a Russian bomber in your hand is if somebody shot it down in hostile

action. That wasn't the case. I held up a piece of a wing from a bomber from Russia that used to carry nuclear weapons that would threaten our country because the wing was sawed off that bomber.

Who sawed the wing off of the bomber? Was a wing shot off in hostile aerial combat? No, not at all. It was sawed off as the bomber was on the ground, because part of the agreement between us and the Soviet Union is that they would reduce the number of missiles, reduce the number of warheads, reduce the number of bombers, and so would we. The result is these arms reductions have resulted in significant reductions in the number of nuclear warheads, the number of missiles, the number of bombers, the number of delivery systems. That is a success.

I also talked last fall about the Russian launch of a number of intercontinental ballistic missiles early in the morning, and as those Russian missiles lifted off in the early morning and pierced into the sky, one could have wondered what on Earth was happening in our world—a launch of significant numbers of ICBMs by the Russians. But it didn't worry the United States because those missiles were launched and destroyed in the area by prior agreement—part of arms control, something we agreed upon—that they destroy their missiles.

Isn't it much better to destroy their missiles by taking them apart, pinching the metal and putting them in a warehouse, or sawing the wings off their bombers? Isn't it better to destroy a weapon before it is used? That is precisely what arms control is all about.

The question I ask about this country's national missile defense policy is not whether we should have one—we likely will have a national missile defense system at some point, some day, when it is technologically feasible, when it is financially practical, when it will not injure our arms control agreements and not threaten future agreements. We will likely have some kind of national missile defense system. We will likely have it because many are worried that a rogue nation now—not Russia, but a rogue nation; Saddam Hussein or North Korea testing medium-range missiles—a rogue nation gets ahold of an ICBM and puts a nuclear weapon on top of an ICBM and aims it at this country and fires it. What kind of a catcher's mitt do we have to intercept it and prevent it from hitting our country? We do not have some sort of technological catcher's mitt that goes into the heavens and intercepts that missile. Therefore, we need to have it, we are told. We didn't have that kind of a catcher's mitt to intercept missiles all during the cold war.

How did we avoid having a missile fired at us by the Soviet Union? By an

arsenal in the cold war that assured anyone who attacked us with nuclear weapons would be vaporized and destroyed immediately. That convinced virtually anyone who would have thought about launching a nuclear attack against this country, that convinced them it was very unwise to do so. No one would launch a nuclear attack against this country.

Some might say that might still be the case. But suppose a madman in charge of some rogue nation who gets one ICBM; ought we not have the capability of intercepting that? The answer is yes. That is one of the threats.

If you take a look at the kind of threats, one of the threats is that a rogue nation will get ahold of an ICBM—it is not likely but it could happen. They are more likely to get ahold of a cruise missile, which is much more prevalent—of course, the national missile defense system will not intercept a cruise missile—that could be launched off the coast about 20 or 50 miles, fly a few hundred feet above the ground. That is not what this is designed to protect against.

Another area of threat is a suitcase nuclear bomb stuck in the trunk of an old rusty car at a New York City dock to terrorize this country. It doesn't do much about that. Another threat of mass destruction is a vial of the deadliest biological threats put on a subway in a major city.

We have a variety of threats, not the least of which is that a foreign ruler, of a bizarre nation will get ahold of an intercontinental ballistic missile, but if that happens will we have a mechanism to intercept it? The answer is yes, I believe, we will. But we must do what we are doing now with substantial research and development into developing a technology that works, and then deploying it in a sensible way that says we are deploying a technology that works in a manner that is cost effective—not a blank check, not a break-the-bank approach—a technology that will work to offer real protection in a way that offers it at an affordable price and doing so in a way that will not jeopardize our arms control agreements that now reduce nuclear weapons.

The amendment I had intended to offer says:

(A) It is the policy of the United States to develop for potential deployment an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

(b) It is the policy of the United States to deploy a national missile defense system if that system—

(1) is well managed, proven under rigorous and repeated testing, and cost-effective when assessed within the context of the other requirements relating to the national security interest of the United States;

(2) is deployed in concert with a variety of additional measures to protect the United

States against attack by weapons of mass destruction, including efforts toward arms reduction and weapons nonproliferation issues; and

(3) is deployed in a manner that contributes to a cooperative relationship between the United States and Russia with respect to a reduction in the dangers to both countries posed by weapons of mass destruction.

A final point: I want everybody to understand that I have supported and will continue to support substantial research and development on the issue of protecting against a missile attack against this country. That has never been the issue. The issue here is, when shall it be deployed and with what confidence will the American people feel they are protected?

Now, to make one point about the last issue, one Russian missile, an SS-18, with 10 reentry vehicles—or 10 warheads—will not be able to be blocked by this national missile defense system. One MIRVed SS-18 will be able to defeat this national missile defense system because this system is designed to provide some kind of technological catcher's mitt to go up and grab one, two, three, perhaps four or five incoming warheads—but not 10.

And so, as we proceed, we need to understand what we are doing, what the limits are, and how we should proceed in a manner designed to protect the efforts that now exist to destroy the SS-18s that Russia has in their silos through massive reductions in delivery systems and nuclear warheads. Anything we do in this country to upset that capability, to upset arms control regimes, to upset the progress we have made under Nunn-Lugar, the kind of stability that exists when you bring down the number of arms between the two major superpowers, anything we do to upset that, I think, would not be in this country's interest.

Let me end where I began and say I was intending to offer this amendment, but I don't think I will offer it today inasmuch as two amendments were accepted yesterday to the Cochran legislation. I don't necessarily view those amendments quite the same as others do. Nonetheless, the feeling is that some of those amendments offer the capability of saying, yes, deployment must also be consistent with our arms control issues with the Russians and others and must not injure those efforts. It must be consistent with something that relates to sensible costs. This cannot be a blank-check approach. So I understand that, and because of those two amendments, I think it is better to leave this issue at this point and come back another day on the appropriations side to further discuss this policy.

Now that the Senator from Mississippi, Senator COCHRAN, is on the floor, let me again say to him, I don't quarrel with the question of whether we ought to be aggressively pursuing this issue about a national missile defense. We should. We have had robust

research and development. In fact, last fall, \$1 billion was added—it wasn't asked for, but it was added—to DOD in the emergency legislation for national missile defense. I don't quarrel with a robust research and development effort. Nor would I quarrel with deployment. But deployment cannot stand alone. Deployment decisions by this country must be decisions made concurrent with issues about its impact on arms control, about not only the technological feasibility of being able to deploy a national missile defense system, but also the cost-effectiveness of it and a range of other issues.

So, Mr. President, I shall not offer the two amendments that I had protected. I thank the Senator from Michigan for his good work on this legislation. I thank the Senator from Mississippi for raising important questions and for his courtesy.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I rise with many in this Chamber who have risen and will rise to commend our distinguished colleague from Mississippi for his untiring leadership on this issue. It has been my privilege to work with him over these past months and to work with my distinguished colleague from Michigan, Mr. LEVIN, in having our committee address these issues and reporting the bill to the floor.

Mr. President, I wish to convey to the Senate my strong support for S. 257, which was introduced again by Senators COCHRAN and INOUE. This is a very important and timely bill which deserves overwhelming support in the U.S. Senate. S. 257 was referred to the Senate Armed Services Committee early this year, and after consideration, the bill was reported out of committee favorably on a bipartisan basis.

Mr. President, even once S. 257 is enacted, the administration and Congress will decide, on an annual basis, how much to spend on NMD, pursuant to the normal authorization and appropriations process. Such spending decisions will be informed by the best information available each year regarding technical progress in the program and the status of the threat.

I also heard that S. 257 would make no contribution to the development or deployment of an NMD system. I do not agree, most respectfully. Commitment to the deployment of an NMD system will have two crucial impacts on the security of the United States.

First, it will signal to the nations that aspire to possess ballistic missiles with which to coerce or attack the United States that to pursue such capability is a waste of both time and resources of that nation. In this sense, commitment to an NMD system would have a deterrent effect on proliferation.

Second, if some aspiring states are not deterred and commit to deploy an NMD system, it would ensure that American citizens and their property are protected from limited missile attack, to the best of our capability. I use the word "ensure" the American citizens. We can only offer our best technical protection. I am not sure any insurance absolutely can be devised.

In addition to convincing the rest of the world that we are serious about defending the U.S. against rogue missile threats, S. 257 will make it clear to the American people that we are truly serious about this undertaking. This is important, in particular, for those in Government and industry who are now working so hard to make an NMD system a reality. Nothing could be more important to them than a clear signal that we are seriously behind them and that this is not just another false start.

On August 31, 1998, North Korea tested the Taepo Dong 1 missile over Japan and demonstrated the capability to deliver a small payload to U.S. territory. Technically, that is feasible. This event demonstrated that the proliferation of technology expertise and hardware with which to build a long-range ballistic missile is accelerating rapidly.

As the Rumsfeld Commission reported:

The threat to the U.S. posed by these emerging capabilities is broader, more mature and evolving more rapidly than has been reported in estimates and reports by the [greater] Intelligence Community [of our country].

To its credit, the administration has now acknowledged the existence of this threat and has taken significant steps to address it. I commend Secretary of Defense Cohen for his decision to increase funding for NMD by \$6.6 billion over the Future Years Defense Program.

In my view, however, these developments fundamentally change the rationale supporting the "3+3" policy. This policy has been based on a perceived need to gather more information on the ballistic missile threat, on NMD program affordability, and on technology maturity, before making a deployment decision. The administration has now indicated that the threat is all but here.

It has also budgeted funds needed to implement the deployment decision, implicitly confirming that the program is affordable. The administration's only remaining decision criteria for which additional information is needed relates to technology development. S. 257 makes clear that the deployment would only proceed once the technology is mature. There is no apparent reason to further delay a deployment decision.

Although the United States must engage Russia with caution and respect—and I underline "with caution and re-

spect"—I do not believe that postponing an NMD deployment decision will facilitate negotiations to change the ABM Treaty. Delay only perpetuates uncertainty about our position and creates the potential for misunderstanding. If Russia does not believe that we are serious about an NMD deployment, it will have no incentive to cooperate, in my judgment, in these talks. Once a firm commitment to NMD deployment has been announced, only then will Russia seriously engage in negotiations to modify the ABM Treaty.

We must never forget that treaty was between the United States and the then-Soviet Union, the only superpowers that had intercontinental ballistic missile technology. And it is against that background that we must review the revisions of this treaty. It is in the national interest of the United States of America. There are many places today in the world where other capabilities to develop these missiles are rapidly progressing. It is in our national interest to modify that treaty at this time. I do not say abolish it. I say carefully modify it.

The United States must make it clear that the decision to deploy an NMD decision is based on a threat not envisioned at the time the ABM Treaty was negotiated. I was then Secretary of the U.S. Navy, and I was in Moscow when the ABM Treaty was signed. I have a vivid recollection of that backdrop.

The United States, however, must make it equally clear that it will proceed with deployment of an NMD system whether or not Russia agrees to modify the ABM Treaty. The only way to clearly send such a signal is by a change in U.S. policy. In my view, the best way to send that signal is by enacting S. 257.

Mr. President, in summary, I believe the need for the deployment of NMD is compelling. I believe it is equally clear that we must modify our policies so everyone knows where we stand on NMD deployment. We must send this signal to our potential enemies, to Russia, and, indeed, to ourselves. And I do not put Russia in the context of a potential enemy; other nations I was referring to in that statement. The threat exists, and continues to grow. S. 257, which clearly indicates the commitment to deploy NMD, will ensure the United States is prepared to meet that threat.

Mr. President, I am going to pose a question or two to my good friend and distinguished colleague from Michigan, Mr. LEVIN, who is the ranking member of the Senate Armed Services Committee on which we serve together. But over our 21 years in the Senate, it is interesting that Senator LEVIN, Senator COCHRAN, and I all came to the Senate at the same time. Senator COCHRAN, however, is senior to me. I will always respect him for that, and he reminds

me on a daily basis. But nevertheless, we came together. We have many, many times in those 21 years debated on this glorious floor of the U.S. Senate the issues relating to arms control. All too often, regrettably, Senator COCHRAN and I are on one side and Senator LEVIN on the other.

But I remember not so long ago in the context of the expansion of NATO that I tried as forcefully as I could to resist that expansion. That is history now. The decision was made by this body to go forward and accept three new nations. I stated from this very chair that I would support that. So the debate is over. But it is interesting to go back and look at some of the statements made in the context of NATO expansion and see how they relate to this very debate that we are having today.

Many of those who stood on this floor defending expansion—my good friend from Michigan was among them—now argue that we must not declare our policy to deploy a national missile defense system. I ask the question, Should the Senate be more concerned about Russia's opposition to NMD than we were to Russia's opposition to NATO expansion? It is a fair question.

I am reminded of the statements by Secretary of State Albright to the Foreign Relations Committee. And I happened to have been in the room at the time she made it. I quote:

Russian opposition to NATO enlargement is real. But we should see it for what it is:

A very interesting statement, "But we should see it for what it is."

a product of old misperceptions about NATO, and old ways of thinking. . . . Instead of changing our policies to accommodate Russia's outdated fears, we need to encourage Russia's more modern aspirations.

If we simply deleted Secretary Albright's reference to "NATO enlargement," and substitute the term "NMD," I think we would have an interesting quote. If I may, I respectfully revise the statement of my good friend, the Secretary of State, to read: "Russian opposition to NMD is real. But we should see it for what it is: a product of old misconceptions about NMD and old ways of thinking. . . . Instead of changing our policies to accommodate Russia's outdated fears, we need to encourage Russia's more modern aspirations."

Secretary Albright also indicated to the Foreign Relations Committee that NATO enlargement would in no way jeopardize START II, as some of my colleagues have argued the National Missile Defense Act would do. Once again, if we substitute the term "NMD" for the term "NATO enlargement," I think it would be about right. I quote:

While I think this prospect [Duma ratification to START II] is by no means certain, it would be far less so if we gave the Duma any reason to think it would hold up [NMD] by holding up START II.

I just hope that at some point my good friend from Michigan might reply to the observations of his good friend, the Senator from Virginia.

I say with respect to the President, Secretary of State, and others that this is an example of the difficulty that we are having with continuing confrontations between this administration and the Congress of the United States, most particularly the Senate, on very, very serious foreign policy concerns.

Mr. President, today we are facing tremendous uncertainties in Kosovo, and trying to address major decisions as to whether to use force should the talks not be successful in Paris. The outcome of that situation could definitely relate to the future of our work and our commitment of over \$9 billion in Bosnia.

We have a serious problem with China today as to the degree that we continue or not continue our relations with China given this tragic case of espionage, the allegations of which are being studied by this body with great care, and, indeed, by the committee over which I am privileged to be Chair.

I can count other serious foreign policy considerations. Here we are debating this missile defense legislation, and we are now seeing under the leadership of Senator COCHRAN, and, indeed, greater and greater bipartisanship which is evolving on the other side of the aisle, a consensus coming about to pass this critical piece of legislation.

I say to the administration that they have to select more carefully the battles they wish to wage with the Congress for fear of losing them all. This is a battle which should have been recognized by the administration months ago as one not to be waged with the intensity that this one has experienced. That same fervor and intensity should be applied to the other major issues before us, whether it is Kosovo, Bosnia, or China, and not have the attention of the U.S. Senate so reflected to resolve this.

But, nevertheless, I thank, again, the distinguished leader from Mississippi for his tireless work. I think that this bill will emerge with the strongest bipartisan support. To some extent I think the amendments have helped. But I have studied both of them carefully. Both of the votes were 99 to 0. I think that that tells a story in and of itself, but nevertheless I wish our managers well.

I see my distinguished colleague from Michigan about to seek recognition. I just wonder if the Senator has a comment about my NATO observations. I say to my good friend from Michigan.

Mr. LEVIN. Mr. President, my good friend from Virginia is very wise and perceptive. Indeed, I do have a comment. He asked the question whether the Senate is more concerned about

Russian reaction to national missile defense than about Russian reaction to NATO expansion. And, of course, there is a huge difference. In one case we have a treaty with Russia. It is called the Anti-Ballistic Missile Treaty. And before we pull out of that treaty, or unilaterally act in a way that is in violation of that treaty, we ought to consider the ramifications.

The point is we have a treaty with Russia that has made possible significant nuclear arms reduction. We had no such treaty with Russia relative to NATO; quite the opposite—our NATO treaty was against the former Soviet Union. Russia wasn't part of any NATO treaty. Its predecessor, the Soviet Union, was the problem against which that NATO treaty was created. So this is a day-and-night comparison. Surely, when you have a treaty with someone, before you unilaterally breach it or threaten to breach it, you should consider the consequences of that. We have such a treaty with Russia. The opposite was true with NATO. So the difference is a 180-degree difference.

Mr. WARNER. Mr. President, I wish to remind my colleague that we had, in the course of that debate on expansion in the same time period, led the way for Russia to begin to work with NATO, and while it wasn't a formalized treaty as such, it was a very interesting and unique arrangement between Russia and NATO whereby Russia would have a forum in which it could express its concerns and hopefully work cooperatively.

Mr. LEVIN. The Senator is exactly correct. And that is precisely what we are now doing relative to our treaty with Russia, with the Anti-Ballistic Missile Treaty. We are sitting down with Russia now and seeing whether we can't negotiate a modification in that treaty which would permit two things to happen: 1, the deployment of a national missile defense should we decide to deploy it; and, 2, continuing nuclear arms reductions which have been provided for—in effect, permitted—under the Anti-Ballistic Missile Treaty. So that is exactly what we are trying to do now.

But any comparison between the situation of having a treaty relationship with somebody and having a treaty which was aimed against that person, it seems to me, is an inapt comparison. I just wanted to briefly comment on it.

Mr. WARNER. Mr. President, if I may, did the Senator from Michigan have a chance to see a rather interesting comment by Mikhail Gorbachev and how he referred to the NATO expansion as being an act that was in contravention of his clearest of understandings with the leaders of this country, the United States, at that time?

Mr. LEVIN. I did. I believe that our leaders have denied such an agreement with Mr. Gorbachev, and we would be happy to dig up the difference relative to that.

Mr. WARNER. Mr. President, if I could ask one other question of my distinguished colleague from Michigan, he refers to negotiations, and indeed I think those negotiations have been ably conducted by a former member of our Armed Services staff, Mr. Robert Bell, for whom the Senator from Michigan and I have respect, having worked with him through the years. But how many such negotiations have taken place over what period of time, I ask my friend?

Mr. LEVIN. I think those negotiations began just a few weeks ago. And I was urging the administration in the middle of last year to begin those discussions and those negotiations. So the actual preliminary discussions I think began in February. As far as I am concerned, it would have been better to begin those discussions before that, and I had urged the administration last year to begin them. But as I understand it, there were informal discussions which had occurred before this recent visit that the Senator from Virginia, my good friend, has referred to.

Mr. WARNER. Mr. President, my recollection is that this had been going on for at least 2 years. Whether you caption it as informal versus today being formal, we will have to look at the record, but this has been going on for 2 years without any real, I think, "concrete"—and that is the famous word that the old Soviet Union and now Russia use—results. And I believe the initiative by the Senator from Mississippi and what I anticipate will be the passage of this bill by the Senate will give the proper incentive to get those negotiations completed in a mutually satisfactory way.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I would agree that the bill as it now stands, with an amendment which adopts as a policy of the United States to continue to negotiate arms reductions with Russia, is indeed going to be an incentive to those discussions because it no longer threatens to just unilaterally breach a treaty between ourselves and Russia.

On the first point, however, I would disagree with my dear friend from Virginia. I believe the discussions with the Russians on our National Missile Defense program did not begin until last year, and the informal discussions relative to modifications in the ABM Treaty did not occur until February. I believe, in fact, I wrote the administration—and I think I shared my letter with my friend from Virginia—I wrote the administration I believe in August urging that these discussions and negotiations take place.

Mr. President, in 1993 the administration, the Clinton administration, just as it came into office, terminated the defense and space talks which dealt precisely with modifications of the

ABM Treaty. I think we can produce a record how this debate on the ABM Treaty has gone on for a very, very long time without any productive or concrete results.

Mr. LEVIN. The debate on the ABM Treaty has gone on since before the treaty was up here for ratification.

Mr. WARNER. I am talking about, Mr. President, the negotiations between the administration and Russia on such modifications as we felt were necessary for various aspects of our missile defense program.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. The discussions between us and the Russians relative to the demarcation line, for instance, between a theater missile defense and strategic defense, the defense against strategic missiles has, indeed, been going on a long time.

Mr. WARNER. That is correct.

Mr. LEVIN. That is not the issue, though, that we have been discussing here this morning. The issue we have been discussing here this morning is whether or not we can work out with the Russians a modification of the ABM Treaty such as to permit us to deploy what is admittedly covered now by the treaty, namely a limited National Missile Defense system.

The discussions which have been referred to by my friend from Virginia had to do with the question of what is or is not covered by the treaty as it is currently written: What is the correct demarcation between those missile defenses which are covered by the treaty and those missile defenses which are not? And, indeed, he is correct; those demarcation discussions have been going on with the Russians, and indeed there was an agreement relative to the proper demarcation line. But the discussions relative to modifying the treaty so that we could deploy a limited national missile defense against what is admittedly covered by the treaty are discussions which have only begun in a preliminary manner in February of this year and informally began, I believe, last year.

Mr. WARNER. Mr. President, I say to my good friend that is correct. An agreement was reached between Russia and the United States, and it is interesting that agreement has never been submitted to the Senate, although I and other Senators have repeatedly called for it. This is another example where I think the Senate needs to assert itself more strongly in areas of foreign policy, and this is one of those areas which is very clearly in need of a show of strength by the Congress, through the Senate, to assert its really coequal right under the Constitution to deal with issues of foreign policy. And that is why I so strongly support the legislation.

Mr. LEVIN. What is intriguing—Mr. President, I do not know who has the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, what is intriguing is, in fact, we did assert our position relative to the correct demarcation line, and indeed we put it in law, and indeed the demarcation line which was adopted by this administration and Russia followed what we had put into law. So we had asserted what our position was as the U.S. Senate and, if my memory is correct, as a Congress, because I believe the language ended up in the final authorization bill as to where that demarcation line should be. The agreement which was reached indeed—my understanding is and my recollection is—followed the demarcation line which the Congress had set forth in that authorization bill.

So it is nothing new for Congress to assert its involvement in these kinds of issues. We should. We have. We should be partners with the administration on this issue. I believe this bill as amended—I know it is now acceptable to the President with these amendments—represents the effort to come up with a more bipartisan approach to these critical national security issues.

Mr. WARNER. Mr. President, if I may, I say to my good friend, the Bush administration was close to changing the ABM Treaty pursuant to negotiations with Russia to deploy a limited NMD. I draw that to my colleague's attention. When the Clinton administration came in, it terminated these talks in 1993 and, indeed, downplayed significantly the need for an NMD system.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts.

Mr. KERRY. Mr. President, I wonder if my friend from Virginia would join in a colloquy, if possible, to try to flesh out a couple of issues.

Mr. WARNER. I will be happy to.

Mr. KERRY. Mr. President, let me begin my question to him by saying I, with many others here, am cognizant of the threat that has now been more realistically defined and is more present. I think most people feel a safety measure with the capacity that might save Hawaii or some other sector of the United States from some accidental, rogue, or unauthorized launch, makes sense in theory. And I certainly support that. But many people have expressed concerns. I know the Senator from Virginia has long been a member of the Arms Control Observer Group, long been involved in these issues, and has a great sensitivity to the perceptions of other countries which often drive arms races and the building of weapons.

I assume, based on that experience, the Senator from Virginia will acknowledge that if the United States proceeded in some way that altered the perception of another country—be it Russia or China or someone with whom

we are currently trying to cooperate—that could, indeed, have an impact on the weapons they might build or, ultimately, on the security of the United States itself.

Is that a fair statement of how perceptions operate in arms races?

Mr. WARNER. Mr. President, I readily concede that misconceptions can arise. But Russia today, while President Yeltsin still holds, let's say, the trappings of office, is largely guided by Mr. Primakov. I have had the opportunity to deal with him through the years, as has, I think, my good colleague from Massachusetts, likewise.

Let me tell you, Mr. Primakov is not a man who doesn't fully understand exactly the nature of this debate and the need for the United States of America to prepare for its defense, not necessarily against Russia, but against other nations emerging with this threat. I do not think, in the context of this debate on this amendment, a misconception could arise, given Mr. Primakov's extensive experience. He will soon be visiting the Nation's Capital as a guest of our President. I am hopeful that I, and perhaps the Senator from Massachusetts and others, can have an opportunity to engage him, as we have in years past, in a colloquy on a wide range of issues. He is a very well informed and a very astute individual.

So in this particular instance, I do not believe that is a serious problem, I say to the Senator.

Mr. KERRY. Mr. President, if I could further continue the colloquy—and I thank the Senator for his answer—I concur with his judgment about Mr. Primakov. I have had the pleasure of having a discourse or two with him. He is a very thoughtful and articulate person who understands the nature of this. But that is not to say that other politicians, other wings of other various ideologies, do not try to use these kinds of issues to play politics within their countries. Nor is it to say that conceivably—and I am only talking about the possibilities here, because it is important for us to put any deployment issue or any future procurement issue in the context of these realities—China could also make certain determinations with respect to this. Is that not also a fair judgment?

Mr. WARNER. Senator, as a generality, I think you speak with fairness on this issue. But, again, I wish to just try to limit my remarks as to this specific piece of legislation, although prior to coming on the floor I did make what I felt were some constructive criticisms. The administration should begin to pick its fights with the Congress on foreign policy issues. This is one that should have been reconciled some time back, quietly, and acknowledging that it was in the interests of the United States to proceed as we are now doing on this legislation, and save its full force and effect for other issues,

whether they are Kosovo or China or Bosnia or whatever they may be.

Mr. KERRY. Mr. President, again, I appreciate the answer and I appreciate the sensitivity the Senator has shown, as to how we might have gotten here otherwise. I cannot disagree with him with respect to that. But, by the same token, there has been a push here to try to achieve certainty with respect to technology, technological feasibility governing an issue of deployment. There are a lot of questions about what kind of system we might or might not really be building.

The early concepts that surrounded this entire debate envisioned a system that did more than simply address the question of a rogue missile or an accidental launch or even a few individual missiles. The best estimate of the threat from North Korea, in 15 or 20 years, is still dealing with minimalist numbers. Always, when we are debating in the context of Russia or in the context of China, we are dealing with multiple numbers, and the system you need to deal, with any reality, with those kinds of potential adversaries—I underscore “potential”; we view neither of them that way today, as the Senator has said—but the kind of system that would be needed to deal with that is a system that most people make the judgment is technologically so expensive and so complicated—because it requires the SWIR intercept capacity at boost phase, it requires the capacity to go exoatmospheric for a certain phase, you have to hand off for the next phase for LWIR capacity for tracking, the capacity to distinguish between multiple decoys—all of this gets into such a zone of expense and of arms deterrence imbalance that a whole series of other questions have to be put on the table.

So what we are talking about, in terms of a system, is really a critical, critical component of what we might be willing to deploy and what might ultimately work and what we might even be able to afford realistically.

Mr. President, let me say also, if you developed a system that had all of the capacity I just defined—it could distinguish between decoys, it could actually hit at the level that gave you an assurance that you have the kind of protection you are trying to achieve—you have actually shifted the entire balance of power, because you have created a near first strike capacity, if not a perfect first strike capacity. If you can shoot down anything that comes at you, then clearly you have changed the balance of power. So we are not making ourselves more secure necessarily. Plus, everyone in the business knows that we are talking, in that case, about intercontinental ballistic; they will simply go cruise missile, go underneath or any other alternatives. The notion that we are making ourselves, in the long run, somehow very significantly

safer by building this larger system, I think, is a debate we put aside some time ago.

I come to the floor supportive of the notion that we are in a new world today. I appreciate what the Senator said about thinking about Madeleine Albright's language of how you perhaps change, together with other countries, to meet that new world. But that new world, to me, is quite delimited. It is a new world that seeks to protect us against a rogue, against accidental or unauthorized. That is a very limited kind of system. It is one that we ought to be able to negotiate, if we can develop it with China, with Russia, with other people, all of whom have a similar kind of threat to think about with respect to unauthorized or accidental or rogue launches.

I simply want to make it part of the record of this debate that that is my understanding of the direction we ought to be going in—and I hope and think it is the understanding of the Senator from Virginia—that we do not rush headlong into the building of a system that simply creates greater unrest, greater instability, greater question marks and, I might add, is measured against a \$60 billion expenditure that to date, even in the THAAD program, has not shown success. There isn't anybody who won't tell you that when you are switching from THAAD into the intercontinental ballistic, you are moving into levels of complexity so much higher in terms of intercept and distinguishing capacity.

It is my judgment that while we ought to proceed, I hope the Senate is going to contemplate this in the context of really building stability in our relationships and also in trying, as diligently as we can, to negotiate with these other countries the process by which we will move forward.

Mr. WARNER. Mr. President, I have listened carefully to my colleague's remarks. I wish to make very clear, at the end of this colloquy, page 2 of the bill:

It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

It is simply a system constrained to those particular threats. I think the Senator said those same threats face other nations, notably Russia and China. It seems to me in the common interest that this go forward.

I thank the Chair, and I thank my colleague.

Mr. KERRY. Mr. President, I thank the Senator.

I think, again, that the clarification here is important because, obviously, we come to this through the experience of a very large expenditure and a very different kind of concept than was contemplated. I think it is vital, as we



proceed forward, that technological feasibility not be the only judgment which we will use as we proceed forward. I think the amendment which has thus far been accepted, the notion that the Senate now embraces the continued efforts to have negotiated reductions with Russia and that we do not want to upset that, is a very important statement that puts into context the down sides if we don't proceed with the sensitivity which most of us feel is so important here.

I thank the President, and I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Jacob Bylund, an intern in my office, for consideration of S. 257 today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### PRIVILEGE OF THE FLOOR

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that a member of my staff, Clint Crozier, be granted the privilege of the floor for the remainder of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Hampshire. Mr. President, I rise today to express my wholehearted, overwhelming, passionate, and unwavering support of the National Missile Defense Act of 1999.

Finally, after years of fighting to get this legislation to a point where we can pass it, we appear to have succeeded. I sincerely hope it is not too late. The President had promised to veto this bill if we passed it. I was glad to hear last night that he has now dropped his veto threat. Unfortunately, his pledge comes a little late and still falls far short of the full support that we need to truly protect our citizens.

As Chairman of the Armed Services Committee's Subcommittee on Strategic Forces, I have devoted myself wholeheartedly to the cause of missile defense for many years. It has always troubled me that the President of the United States has refused to engage us and help us to pass a bill to defend the United States of America and its citizens from ballistic missile attack. It has been especially troubling in recent days, with news that data on our most sophisticated nuclear warhead may have been stolen by China—which may have already used this information to perfect their own warheads on missiles aimed this very minute at the United States.

The President seems to believe we need to let Russia have a vote on whether or not we choose to protect ourselves from blackmail and coercion

from China, Iraq, Iran, and North Korea. With all due respect, I am not interested in having the Russians determine whether or not we should protect ourselves. I am more interested in having us determine whether or not we should protect ourselves.

The administration tells us that there are four critical criteria that must be met before we can decide whether to deploy a national missile defense: threat, technology, operational effectiveness, and cost. Let's look at these four issues; first, the threat. The Administration's national missile defense agenda is based upon, I believe, a false assumption that we will have plenty of warning to respond to the threat.

We can't base the security of the United States of America on our ability to detect and predict existing or emerging threats around the world. And we do not have to—it is here even as we speak. The administration can no longer ignore the threat. It is real, it is dangerous, and it is here now, today, this moment.

In May of 1998, India conducted three nuclear tests that shocked the world, and even worse, surprised our intelligence community. Ten days later, Pakistan conducted their own nuclear test.

In July of 1998, a bipartisan commission headed by Don Rumsfeld, former Defense Secretary, came to some very startling assertions. Here is what he said:

Hostile nations such as North Korea, Iran, and Iraq are making concerted efforts to acquire ballistic missiles with biological or nuclear payloads that will be able to inflict major destruction on the U.S. within five years of a decision to acquire such capability. And further, the U.S. might not even be aware if or when such a decision has been made.

That is a pretty sobering analysis, Mr. President.

He went on to say:

The threat from rogue countries is evolving more rapidly than U.S. intelligence has told us, and our ability to detect a threat is eroding because nations are increasingly able to conceal important elements of their missile programs. The U.S. faces a missile threat from hostile states with little or no warning.

The Rumsfeld Commission was bipartisan, and its conclusions were unanimous. Yet the entire report was downplayed by the administration. It was dismissed as paranoid, alarmist, and out of touch with current intelligence estimates. But only 2 months later, 2 months after the Rumsfeld report, the North Koreans shocked the world with the launch of a three-staged Taepo Dong missile over Japan.

This signaled their progress toward the Taepo Dong 2 that could hit the continental United States. Some in the Senate have been willing to write off Hawaii and Alaska because they are not continental. I notice that the Sen-

ators from Alaska and Hawaii were not willing to write themselves off, however. They were early advocates and supporters and cosponsors of this legislation in both political parties.

Not to be outdone, after North Korea, Iran tested their own new generation missile within weeks of the Rumsfeld report. On February 2 of this year, CIA Director George Tenet testified before the Senate Armed Services Committee:

I see a real possibility that a power hostile to the United States will acquire before too long the ability to strike the U.S. homeland with weapons of mass destruction.

In an interview with Defense Week on 23 February, Lieutenant General Lyles, Chief of the BMD organization, said:

We now have indications that the threat is growing, and certainly there is little doubt that this threat will be there around the year 2000.

The CIA recently reported that China has at least a dozen nuclear missiles aimed at U.S. cities right now.

I say to my colleagues, the threat is here. How much more warning do we need?

Let's go to the technology and the operational effectiveness issues that the President and some of this bill's critics have talked about. They say that this bill would require a deployment before the technology is ready. But technology and operational effectiveness are the cornerstones of this legislation. No one is suggesting we deploy a system before it is ready. How can we deploy something before it is ready? How can we deploy something that doesn't work? And yet we have had a big debate on this terminology. The Senator from Mississippi has done a good job, I think, in shooting holes in that false argument.

I honestly do not understand what the debate between "technologically possible" and "operationally effective" is all about. This is what the bill says:

... to deploy as soon as technologically possible an effective national missile defense. . . .

It is pretty clear. When the technology allows us to build an effective system, we deploy it. Is that too much for the American people to expect from their elected leaders, who are sworn to protect and serve them? Are we going to build a system, know that it is effective, but then not deploy it? I do not think so. If we had something that was technologically possible and operationally effective and we didn't deploy it, I think our constituents would be a little upset with us.

There are also those who claim it is simply too hard to, as they say, hit a bullet with a bullet. If we all had that attitude, we would still be using bows and arrows to defend ourselves. We certainly would not have the technology that we have today in stealth and missiles and lasers if we adopted that "can't do" attitude.

Just 2 days ago at White Sands, we did successfully intercept a missile target with a Patriot-3 missile, proving we can hit a bullet with a bullet. The only problem is that when you hit the bullet with the Patriot, you are hitting it pretty close to you. What we want to do is hit that bullet long before it gets anywhere near us.

The third issue the administration wants to base a deployment decision on is affordable cost. Boy, there is a bureaucratic attitude if I ever heard one. That statement is—frankly, with all due respect to those who made it—unconscionable. On February 2, Director Tenet told the Senate Armed Services Committee:

North Korea's Taepo Dong 1 launch last August demonstrated technology that, if further developed, could give Pyongyang the ability to deliver a payload to the western edge of the United States of America.

To put it bluntly, North Korea will soon be able to strike San Diego, Los Angeles, San Francisco, Portland, and Seattle with nuclear, chemical, and biological weapons—and the President is telling us he is worried about the cost? He is worried about the cost? What is the cost of one of those missiles hitting one of those cities? What in the world is he talking about? I wish he had been as worried about having a spy continue to operate in one of our weapons labs for 3 years without doing anything about it.

I note that the combined population of just the five cities I mentioned is 30 million people. The total population from San Diego to Seattle is 50 million people. What is the cost of losing 30 to 50 million people to that kind of missile attack? With all due respect, is the President willing to go out there and look those 50 million people in the eye and say, "We're going to check this out to see if it is affordable"? I say, if we are worried about money, then let's take money out of someplace else in the budget and protect 50 million people along the western coast of the United States of America.

The President wants to tell U.S. citizens we cannot protect them from weapons of mass destruction until we figure out how much it might cost. I say it is the opposite. We have to defend our citizens, and worry later about the cost.

This is not an imagined threat. The CIA recently reported that China now has a dozen missiles aimed at the United States. We have all heard the reports of the Chinese general who, in 1996, warned that if we chose to defend Taiwan, we had better be willing to sacrifice Los Angeles. This, from a nation that the administration says we must engage. Those are pretty tough words from a country that we are supposed to be engaging. Maybe we ought to disengage a little bit from China when it threatens us with nuclear attack and steals our nuclear secrets from our lab at Los Alamos.

Cost is a matter of relative priorities, Mr. President. As Senator SESSIONS pointed out recently, the cost of a 3-year deployment to Kosovo could reach 50 percent of what this administration plans to spend on national missile defense. We have already spent as much in Bosnia in the past 3 years as an entire NMD program is estimated to cost. Priorities, I say to my colleagues, priorities. Kosovo, Bosnia or 50 million people along the coast of the United States? We know what the President has chosen as his priority. What is the Senate going to choose for its priority?

Let's go to the last issue, the ABM Treaty of 1972, the bible for some people in this body. The biggest fear is that we are going to undermine the ABM Treaty. What ABM Treaty? We signed the ABM Treaty with the U.S.S.R. The last time I looked, there was no U.S.S.R.

On the 20th anniversary of the ratification of the treaty, President Nixon said:

The ABM Treaty has been overtaken by the cold war's end.

Dr. Kissinger, the primary architect of the treaty, said in 1995 in testimony before the Congress that the time had clearly come to:

... consider either amending the ABM Treaty or finding some other basis for regulating the U.S.-Russian strategic relationship. The ABM Treaty now stands in the way of our ability to respond in an effective manner to the proliferation of ballistic missiles, one of the most significant post cold war threats.

That came from the architect of the treaty. He is saying that the treaty stands in the way of our ability to defend ourselves.

Even Secretary of Defense Cohen recently said before the Senate Armed Services Committee that we may have to consider withdrawing from the ABM Treaty.

I am not advocating withdrawing at this point. I am just insisting that we not let the treaty harm our national security.

How absurd would it be for us to continue to honor the treaty with Russia, preventing us from protecting ourselves from weapons of mass destruction, while all other nuclear-capable countries of the world would be free to develop their own missile defense? What would that do to American security if we could not defend ourselves, but our enemies could? Does that make sense? Am I missing something here? I just do not understand the foreign policy of this administration.

In conclusion, it would be indefensible to the American people to concede that the threat of rogue missile attacks is real and credible, but offer only a self-imposed weak defense against it. It is unconscionable. If the threat to the American people is real, then the defense against these attacks must be real; not only that, it must be

aggressive, full-scale and monumental. Whatever resources are necessary, the American people deserve to be defended.

Some in the minority claim that the passage of this bill might lead to a new arms race with the Russians. But everyone knows that any missile defense currently in development would not upset the balance of power between Russia and the United States. NMD will provide defense against only limited and rogue attacks, not against incoming Russian missiles.

What about Russia's proliferation of missile technology to rogue states? Between technology transfers to Iran, India, and perhaps even China, Russia is a large part of the reason we are here debating this bill today, because they are selling their technology around the world. Proliferation is already a growing threat, independent of this bill.

Mr. President, we must pass this bill. This is not a partisan issue. It is an issue of national security. And the defense of the American homeland against a real and growing threat of ballistic missiles and our national security depends on it.

I urge my colleagues to pass this bill, and to do it today.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, thank you.

#### AMENDMENT NO. 74

(Purpose: To modify the policy)

Mr. BINGAMAN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 74.

On page 2, strike lines 7 through 11 and insert the following:

It is the policy of the United States that a decision to deploy a National Missile Defense system shall be made only after the Secretary of Defense, in consultation with the Director of Operational Test and Evaluation of the Department of Defense, has determined that the system has demonstrated operational effectiveness.

Mr. BINGAMAN. Mr. President, let me explain my amendment and then hopefully discuss with the two managers, the chief sponsor of the bill, my friend from Mississippi, and the manager on the Democratic side, my friend from Michigan, their understanding of what the underlying bill provides and the appropriateness of my amendment.

We had a hearing the other day in the Armed Services Committee. Mr. Gansler was there, and he testified that the administration's plan, with regard to this national missile defense program, is to handle this as they would handle other major weapons programs, weapons systems; that is, they would proceed with development, but they



would not go the next step, they would not go into full production and deployment until they had done the necessary operations tests to determine the effectiveness of the system.

I have had some concerns, frankly, about this legislation. I opposed this in the last Congress because of those concerns, concerns that we were, in this legislation, changing those ground rules on the Department of Defense and saying to them, "No, you should not do the appropriate testing. In this case, you should go ahead and proceed to deploy the system regardless of how ready it is for prime time."

I guess that has been the concern that has prompted me to offer this amendment. In private discussions with the manager of the bill, the sponsor of the bill, he has assured me that he does not see it that way. I want to just ask, if I could, the Senator from Mississippi if he could just respond to a question sort of directly on this.

I was encouraged, frankly, by the statements I just heard from the Senator from New Hampshire, where he said that it is his understanding and his intention, clearly, by this legislation, that we would not be requiring the Department of Defense to do anything by way of full production or deployment until they were convinced that this weapons system was operationally effective. Is that the understanding of the Senator from Mississippi also?

Mr. COCHRAN. Mr. President, if the Senator would yield, it seems to me clear from the language in the bill that we contemplate the development of a system that is effective. We use that word—an "effective" ballistic missile defense, and that the deployment would take place when it is technologically possible. So when the technology is matured, it is proven to work, and we know the missile system would be effective to defend against ballistic missile attack. That is what the sentiment is. That is the policy that is reflected in the language that is used in the bill.

So that is consistent with the intent that this Senator has, as an author of the bill. And in discussing it with other cosponsors, I think that is the sentiment of the Senate and would be reflected in future authorization and appropriations measures. That is another part to this as well. And one of the concerns, I think, with the amendment that the Senator has sent to the desk is that it could be construed, with a delegation of authority to the executive branch, to remove Congress from the decisionmaking process. We think Congress has a very important role to play in oversight and also in the authorization of deployment and the funding of deployment decisions that will be made in this weapons system development and deployment.

So those are my reactions, my sentiments. I hope that they are not incon-

sistent with the concerns of the Senator from New Mexico. And I really do not think they are.

Mr. BINGAMAN. I thank the Senator from Mississippi very much for that explanation. I agree with him that clearly Congress needs to maintain its oversight of this program, as well as all other programs. And this is a very high priority for many of us here in Congress and everyone, I think, who is concerned about national security issues. So I would not want, by my amendment, to bring into question the ability of Congress to maintain that oversight. I do not believe the language of my amendment does that.

I am encouraged to hear that the Senator believes that operational effectiveness is an essential part of what has to be established before we go ahead and actually deploy something.

I want to just ask, in order to sort of complete the circle here, my good friend, the ranking member on the Armed Services Committee, which I have the privilege of serving on, Senator LEVIN, if he has any thoughts about the underlying bill.

Again, I guess the question is, Is there, in the language of the underlying bill, essentially a requirement that the Department of Defense treat this weapons system and this program the way it treats other major programs; and that is, to put them through the appropriate operational tests before they go forward with any deployment?

Mr. LEVIN. To my good friend from New Mexico, I say there is no prohibition in this bill against them using the regular procedures. So it is my assumption they would use those procedures given the absence of any prohibition.

Secondly, the word "effective" that is in the bill, it seems to me, does include the critical operational effectiveness concept which the Senator has referred to. Indeed, the word "effective" could cover a number of elements of effectiveness, but surely one of them is, I believe—and the sponsor of the bill has just confirmed this, I believe—that "operational effectiveness" would be included in the concept of "effectiveness."

Mr. BINGAMAN. I appreciate that explanation as well.

The Senator from Mississippi, I see, is on the floor. If he has any additional comment, I would be anxious to hear it.

Mr. COCHRAN. Mr. President, if the Senator would yield, I appreciate his allowing me to comment further.

So the RECORD is complete, I would like to read into the RECORD some comments that I wrote down after considering the amendment of the Senator from New Mexico.

This bill is intended to establish a broad policy, stating the intent of the United States to defend itself against limited ballistic missile attack. It does

not seek to micromanage the Defense Department's conduct of the program. It gives the Department of Defense flexibility in determining whether the national missile defense system is effective and technologically ready for deployment. That decision will be made with congressional involvement and oversight provided by the appropriate committees.

The Under Secretary of Defense for Acquisition and Technology has stated in testimony before the Armed Services Committee that the criteria to be used by the Defense Department in making such determinations are tailored to the needs of individual programs and the urgency of the threat they are intended to address.

So I think with those further statements we show what we consider to be the meaning of the bill, the effect of the bill, and its relationship between the Congress and the administration.

Mr. BINGAMAN. I thank the Senator from Mississippi for that additional explanation.

Mr. President, in order that I not delay or further confuse the RECORD, let me take those assurances that I have heard from the Senator from Mississippi and the Senator from Michigan and state that I do believe with those assurances the bill does provide for this requirement that operational effectiveness be demonstrated. That has been my primary concern as we considered this bill in the previous Congress, and I am glad to have that resolved.

AMENDMENT NO. 74 WITHDRAWN

Mr. BINGAMAN. Mr. President, I will at this point withdraw the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 74) was withdrawn.

Mr. LEVIN. Mr. President, let me just thank the Senator from New Mexico. He has raised a very important issue which was the subject of major discussion at the Armed Services Committee the other day; that is, the importance that any weapon system, before it is deployed, be shown to be operationally effective. I think his sensitivity to that issue has been longstanding, and I want to thank him for clarifying the RECORD relative to this bill.

So that it is clear to Senator BINGAMAN and to all of the Members, the word "effective" in the bill includes the concept of operational effectiveness. There are other elements of effectiveness which could also be covered, but surely it includes the operational effectiveness concept which the Senator has championed for so long.

I thank the Senator.

Mr. HAGEL addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I rise today to support S. 257, the National Missile Defense Act, and to thank my

friend and colleague, the distinguished senior Senator from Mississippi, for his continued leadership on this issue—not today, not last year, but over a sustained period of time—to help educate America as to why this issue is so important to our future. I thank the co-sponsor of this bill, Senator INOUE from Hawaii, who has joined over the years with Senator COCHRAN in leading the debate and, hopefully, moving this body to a decisive action today on passing the National Missile Defense Act.

Mr. President, the security of the American people is the first and most important responsibility of the National Government. One of the primary threats facing our national security in the 21st century is the proliferation of weapons of mass destruction and advanced, sophisticated missile technology.

Surveys show that many Americans think our Armed Forces can shoot down any missile fired at the United States today. As the debate has pointed out over the last few days, that, in fact, is not the case; it is a myth. We don't have a missile defense system today, we won't have a missile defense system tomorrow, and we won't have a missile defense system next year. Yet the nations who are developing their own weapons of mass destruction are not waiting. Last year, two new countries entered the nuclear club, India and Pakistan. Other nations whose motives are less than friendly toward the United States and our allies are aggressively pursuing these weapons and the ability to launch, the ability to deliver, a nuclear weapon.

As technology spreads throughout the world, the threat increases not only from rogue states but also from terrorist organizations. For years, America was assured by our intelligence agencies that the ability to strike the U.S. mainland by any rogue state was years away and that we would easily have enough time to develop a new missile defense system before that possibility would occur.

Last July, a bipartisan commission headed by the distinguished former Secretary of Defense, former Chief of Staff to the President, former Member of the House of Representatives, Don Rumsfeld, sounded an alarm: All was not quiet on the ballistic missile front. The Rumsfeld Commission examined the emerging and current ballistic missile threat to the United States. As Secretary Rumsfeld testified last October before the Senate Foreign Relations Committee:

We concluded unanimously that we are now in an environment of little or no warning.

The Rumsfeld Commission report contains several alarming conclusions.

One, Russia and China continue to pose threats. Both possess intercontinental ballistic missile capability of

reaching the United States mainland. We must be prepared for the possibility of an accidental launch—an accidental launch. In addition, and even more deadly in terms of the threat it poses, both Russia and China have emerged as major suppliers of technology to a number of rogue nations and other countries.

Two, the Rumsfeld Commission found that North Korea and Iran could each pose a threat to the United States within 5 years of a decision to do so.

Three, Iraq was estimated to be certainly within 10 years of posing a threat. Whether we have been effective at limiting this development with our airstrikes is unknown in Iraq because Iraq is now able to continue its work without the oversight of UNSCOM inspectors. These nations are not isolated; they work together. As Secretary Rumsfeld stated with regard to North Korea:

They are very, very active marketing ballistic missile technologies.

Iran alone received technology assistance from Russia, China, and North Korea, which gives it a wider array of options.

And perhaps one of most striking comments made by Secretary Rumsfeld in his testimony in October was one that rang true with plain, straightforward common sense. Again I quote Secretary Rumsfeld:

We have concluded that there will be surprises [deadly surprises]. It is a big world, it is a complicated world, and deception and denial are extensive. The surprise to me is not that there are and will be surprises, but that we are surprised that there are surprises.

The Rumsfeld Commission report was greeted with some skepticism by the intelligence community. Then on October 31 of last year, the myth that technology was years away was shattered when North Korea launched a Taepo Dong I missile, a three-stage rocket, over Japan and into the Pacific. This is a missile that, with upgrades, could have delivered a small payload, a nuclear payload, to Hawaii or Alaska. We know that the North Koreans are in the advanced stage of developing a Taepo Dong I intercontinental missile with the capability of delivering a nuclear payload to the American interior.

Finally, last month the CIA reversed itself saying the threat was real, imminent, and very dangerous. In testimony before the Senate Armed Services Committee, CIA Director George Tenet stated:

I can hardly overstate my concern about North Korea. In nearly all respects, the situation there has become more volatile and more unpredictable.

Why has it taken us this long to wake up to the threats facing our Nation? How many more intelligence reports and missile test firings do we need? Vast oceans in time protected America at the beginning of World War

II. Oceans in time will not protect America today. Time has run out.

I was very pleased to see news reports this morning, Mr. President, that President Clinton has dropped his threat now to veto this bill. However, the administration continues to raise concerns about whether a national missile defense system fits within the framework of the 1972 ABM Treaty with the old Soviet Union—the imploded Soviet Union, a country that no longer exists.

Much has been made by the opponents of this bill on how Russia would perceive our development of a national missile defense. I visited Russia in December. I spent 10 days in Russia and met with leaders throughout Russia. I was in Siberia. I asked about this question. This question is about the relevancy of our national interest, as all questions of national security are about the relevancy of our national interest, as Russia's questions are about their national interest. The Foreign Relations Committee will hold a hearing on the ABM Treaty in April, and a continued set of hearings on into May, leading up to the June 1 deadline by which Chairman HELMS has asked the administration to submit the ABM Treaty amendments.

It is completely inconsistent for the administration to raise concerns about building a national missile defense system under this current 1972 treaty and then not submit the ABM Treaty amendments to the Senate. This administration has yet to send amendments to the ABM Treaty, nor has it given any indication that it will. The President should submit amendments and allow the Senate to debate this issue. We need to determine whether this 1972 treaty is still relevant to America's security in the 21st century. The security of our people cannot be held hostage to an outdated treaty with a country that no longer exists. The most fundamental responsibility of this Government, of each of us who have the privilege to serve in this body, is to assure the freedom and security of this Nation; to do less not only abrogates our responsibility, but makes us less than worthy of serving the people of this country.

As Secretary Rumsfeld stated:

The new reality makes threats such as terrorism, ballistic missiles, and cruise missiles more attractive to dictators. They are cheaper than armies and air forces and navies. They are attainable. And ballistic missiles have the advantage of being able to arrive at their destination undefended.

We need an effective missile defense system, and we need to get at it now.

I conclude with what President Reagan said in 1983. He said:

If history teaches anything, it teaches simple-minded appeasement or wishful thinking about our adversaries is folly—it means the betrayal of our past, the squandering of our future, and the squandering of our freedom.

Mr. President, I urge my colleagues to support the National Missile Defense Act, S. 257.

I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

AMENDMENT NO. 75

(Purpose: To require a comparative study of relevant national security threats)

Mr. HARKIN. Mr. President, I have an amendment that I will offer and then I will engage in a colloquy with the distinguished Senator from Mississippi. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 75.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

**SEC. 4. COMPARATIVE STUDY OF RELEVANT NATIONAL SECURITY THREATS.**

(a) REQUIREMENT FOR STUDY.—Not later than January 1, 2001, the President shall submit to Congress the comparative study described in subsection (b).

(b) CONTENT OF STUDY.—(1) The study required under subsection (a) is a study that provides a quantitative analysis of the relevant risks and likelihood of the full range of current and emerging national security threats to the territory of the United States. The study shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

(2) The threats compared in the study shall include threats by the following means:

(A) Long-range ballistic missiles.

(B) Bombers and other aircraft.

(C) Cruise missiles.

(D) Submarines.

(E) Surface ships.

(F) Biological, chemical, and nuclear weapons.

(G) Any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods such as cargo aircraft, cargo ships, and trucks.

(H) Deliberate contamination or poisoning of food and water supplies.

(I) Any other means.

(3) In addition to the comparison of the threats, the report shall include the following:

(A) The status of the developed and deployed responses and preparations to meet the threats.

(B) A comparison of the costs of developing and deploying responses and preparations to meet the threats.

Mr. HARKIN. Mr. President, again, for the information of Senators, I intend to withdraw this amendment after talking about it and engaging in somewhat of a colloquy with Senator COCHRAN, and I think Senator LEVIN also wanted to speak on this.

Basically, let me describe what the amendment does. It requires that not later than January 1 of 2001, the President will submit to Congress a comparative study. It is a study that would provide a quantitative analysis of the relevant risks and the likelihood of the full range of current and emerging national security threats to the territory of the United States.

This says:

It shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

Then I listed a number of items, including long-range ballistic missiles; bombers and other aircraft; cruise missiles; submarines; surface ships; biological, chemical, and nuclear weapons; and any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods, such as cargo aircraft, cargo ships, trucks, and any other means.

I would like to describe what I am getting at here. As we look at the bill before us, S. 257, which is kind of narrowly drawn in terms of ballistic missile defense, we seem to be getting kind of overfocus on this, a focus that if only we build some kind of a ballistic missile defense system, it will secure us from the weapons of mass destruction that threaten us. But I am not so certain that is really the major threat that we face, and whether or not all of the money put into that, all of our eggs into that basket, so to speak, really would protect us from what I consider to be more viable and determinable threats to our national security.

For example, what about some of the key threats we hear about every day? Well, I have a chart that lists some of the typical types of national security threats facing our Nation today.

Mr. President, I ask unanimous consent to print the chart in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

**NATIONAL MISSILE DEFENSE: NO SOLUTION TO KEY THREATS**

	National missile defense solution	Theater missile defense solution
Truck bomb attack on U.S. ....	Ineffective .....	Ineffective.
Chemical weapons attack in U.S. ....	.....do .....	Do.
Biological weapons attack in U.S. ....	.....do .....	Do.
Cruise missile attack on U.S. ....	.....do .....	Do.
Bomber attack on U.S. ....	.....do .....	Do.
Loose nukes in former Soviet Union ..	.....do .....	Do.

Mr. HARKIN. For example, a national missile defense system would be ineffective against a truck-bomb attack on the United States. Of course, we have had some experience, regrettably, in that area. It would not be effective against a chemical weapons attack in the United States. Now, we haven't had that, but Japan has. What about biological weapons that would be

delivered by a terrorist? No small threat. It seems like there is an anthrax incident every week here in the country. Again, if there is an anthrax scare, the first line of defense is going to be the local police and firefighters struggling to deal with the threat, and our State and local public health officials, and other health care people.

However, a national missile defense system is no solution to combat this very viable threat. The list goes on with a cruise missile attack. It is much cheaper for a country to engage in; it would be launched offshore. Yet, a national missile defense would be ineffective. Even a bomber attack, coming in under our radar screens, would be ineffective for missile defense; and even some of the "loose nukes" in the former Soviet Union, if in fact there were to be warheads smuggled out of the Soviet Union and enter the country by boat, plane, or truck across our borders. A missile defense is totally ineffective. Also listed is the theater missile defense, which would also be ineffective against those threats.

General Shelton of the Joint Chiefs of Staff agrees and has said:

There are other serious threats out there in addition to that posed by ballistic missiles. We know, for example, that there are adversaries with chemical and biological weapons that can attack the United States today. They could do it with a briefcase—by infiltrating our territory across our shores or through our airports.

I am just concerned that we are focusing so much on this national ballistic missile defense that we are forgetting about these other more determinable and viable threats.

My amendment seeks to provide for a study, sort of a comparative study, and a quantitative analysis of these risks: What is the risk of a ballistic missile attack on the United States? What is that? And what is the risk of, say, a biological weapons attack on the United States? What do we have, either deployed or in development, to protect against each one of those?—thinking about the relative risk. I wanted this study to be done by January 1, 2001, before we go rushing down the road investing more billions of dollars into a ballistic missile defense that would prove absolutely defenseless against these other viable threats.

That is what I was seeking to do with this amendment.

I have had some conversations with the Senator from Mississippi about this. I yield for any colloquy that we might engage in on this.

Mr. COCHRAN. Mr. President, with respect to the amendment of the Senator from Iowa, I thank him for discussing the amendment with managers before offering it. As I understand the amendment, it calls for a report on a wide variety of threats facing the United States. S. 257, the pending legislation, is intended to address one of

these threats—a limited ballistic missile attack against us for which we have no defense.

While these other threats are important, they are not the subject of this bill. We have tried to keep this bill focused on a specific policy question—whether the United States will defend itself against ballistic missile attack. We have tried not to entangle this question in the details of other defense issues, however important they may be.

If a report on the many other threats from weapons of mass destruction would be useful, the defense authorization or appropriations bills would be appropriate vehicles for directing such reporting requirements. As a matter of fact, it is our understanding that a similar requirement for a study is being conducted and is being complied with in response to a directive in the intelligence authorization bill for fiscal year 1999.

In conclusion, just because there are some threats that we cannot defend against perfectly doesn't mean we should not defend against others.

So, while being sympathetic with the suggestion that the Senator is making, we think this can be accomplished; the goal can be accomplished that he has pointed out by using the vehicles of the Intelligence Committee authorization, as is now being done to some extent, and the authorization and appropriations bills that will later be considered by the Senate this year.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I appreciate the remarks of my friend from Mississippi. I understand that in the intelligence community that they only look at possible threats but they don't make a comparative analysis, nor do they deal with the status of how the United States counters the threats.

Again, I am saying we need also to engage those agencies on the front line, not just the Pentagon. But I am talking about the Department of Justice, FBI, and HHS—all of these agencies that handle biological, chemical threats. We need to engage them in this comparative quantitative analysis.

Again, I want to make it clear to my friend from Mississippi that I basically was not going to support the bill because I felt that the words "technologically feasible" in the bill and saying that we should deploy as soon as technologically possible—that that was kind of putting the cart before the horse.

I was also concerned a little bit about what this might mean for further negotiations on arms control, our START II and possibly the START III, and the ABM Treaty. But with the adoption of the Landrieu amendment last night, I think that puts a balance here. I don't mind the research and

stuff that goes into looking at a possible ballistic missile defense. I think we have to examine all of these. But it has to be done in a balanced way and in a way that sort of takes into account what those threats are to our national security on kind of a quantitative basis without putting everything in just sort of one basket, so to speak.

But I think with the adoption of the Landrieu amendment that it is much more balanced. And I therefore support the bill. I wanted to offer this amendment to try to again put that balance in the bill while looking at these other possible threats. I understand what the Senator says—that perhaps this is more amenable, or a more likely prospect for the armed services authorization bill. I take that in good faith.

I spoke with the chairman of the Armed Services Committee, Senator WARNER, and also ranking member, Senator LEVIN, about this. I think I can represent that Senator WARNER was open to the idea, without knowing more about it and without having had an opportunity to really fully look at it.

Mr. LEVIN. Mr. President, will the Senator yield for a question?

Mr. HARKIN. I am delighted to yield.

Mr. LEVIN. Mr. President, I would like to briefly make a statement before asking the question, so he doesn't lose his right to the floor.

The Senator has put his finger on a very significant issue—and it is one that all of us should struggle with, and many of us have struggled with. His effort here is to focus the attention of this body on a range of threats that we face. And to attempt to see if we can't get a better handle on the likelihood of those threats actually emerging is a very important action on his part. The chart he has used demonstrates what the problem is. There are many threats which are much more likely than a ballistic missile attack against us for which we have no defense. Perhaps we should devote resources to those, and then what would be the relationship between the costs of defending against those more likely threats compared to the cost of defending against a missile attack of the kind that could come from North Korea, theoretically.

General Shelton phrased the issue this way. This was on January 5. He said:

... there are two aspects of the National Missile Defense [issue] that we have to be concerned with. Number one is: the technology that allows us to deploy one that is an effective system, and within the means of this country money-wise?

This is General Shelton, Chairman of our Joint Chiefs saying this.

Secondly is the threat and whether or not the threat, when measured against all the other threats that we face, justifies the expenditure of that type of money for that particular system at the time when the technology will allow us to field it?

Those are the factors that the Chairman of our Joint Chiefs wants to con-

sider, and those are some of the issues which the good Senator from Iowa is addressing our attention to.

I asked General Shelton to give us what we call a "threat spectrum" and asked him to try to give us a continuum of threats in terms of the most likely and less likely.

The least likely is in the upper right-hand corner, strategic missile attack, 6,000 Russian warheads. The next least likely is the rogue missile. The next least likely, major theater wars, such as in Korea. The next least likely is information wars, attacks on our satellites, or our power systems, or similar assets. The next least likely, but now becoming more and more likely, are terrorist attacks in the United States, some of which for instance the Senator from Iowa is talking about, and then terror attacks abroad, regional conflicts, and so forth.

This is the issue which the Senator from Iowa is really focusing our attention on today. But his amendment goes significantly beyond this chart, which, by the way, was prepared by General Shelton. The amendment of the Senator from Iowa would get us into a greater element of comparative risk in terms of trying to get a range of likelihood of the risks, not just whether one risk is more likely than another. But his amendment, the way it is drafted, would consider how much more or how much less likely is one threat than another.

That is very valuable information, and General Shelton is attempting to work on that issue now. But the amendment of the Senator from Iowa puts it in a very precise and useful form.

In addition, it would be very helpful for us to know what would the range of costs be to defend against the various threats, if we can do so. And all I can do is assure my good friend from Iowa that we on the Armed Services Committee will take a good look at his amendment. It has my very strong support, and as he mentioned, the chairman of the Armed Services Committee said he would be open to such an amendment on the defense authorization bill.

I think that is a very appropriate place for the amendment to go, and I think he would find, hopefully, bipartisan support on the committee for this kind of a study, because it really addresses an issue which I think every Member of this body would like to see addressed.

I thank him for his effort and assure him of my support on the armed services bill. As a member of the Intelligence Committee, I would support an expansion of what we are doing to include the kind of factual analyses for which his amendment would call.

I thank him for the amendment and just assure him, if he does not offer it here, there will be a major effort to get

it or something very close to it on the authorization bill.

Mr. HARKIN. Mr. President, I thank my friend from Michigan, the ranking member on the Armed Services Committee, a leader in this area and, obviously, way ahead of me on this topic, who has done a lot of research and work on this. I appreciate that and the kind of information he has given out with this chart he has developed. In taking that assurance, I would withdraw my amendment.

How much more time do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. HARKIN. I will just take about 5 more minutes.

I cannot resist the opportunity to talk a little bit about this concept of the ballistic missile defense system. I was just reading the history of what happened in France prior to World War II. I got to thinking; someone described this ballistic missile defense as sort of our new Maginot Line, so I said I want to find out about the Maginot Line, really what it was.

Louis Snyder wrote the "Historical Guide to World War II." It is a basic reference work for anyone studying the history of World War II. I recommend that my colleagues read through this volume of history, especially the story of the Maginot Line.

In the late 1920s and 1930s, France constructed a huge series of fortifications on its border with Germany. It was named after Andre Maginot, French minister of war who started the project. A huge workforce constructed the fortifications that were considered impregnable by the French military. More than 26 million cubic feet of cement was used to build a series of giant pillboxes, gun turrets, and dragons teeth. Elevators led to underground passages that included living quarters, hospitals, cafeterias, and storehouses. It sounds like our missile silo bunkers.

More than \$1 billion was spent by the French military. That is in 1930s dollars. Factored today that would be \$12 billion they spent to build the Maginot Line, and from a nation much smaller than the United States. It was truly an awesome endeavor intended to thwart a great threat to France; that is, an invasion by Germany.

Of course, there was just one problem. The German military high command were no fools. They developed an adequate counter. They simply went around the Maginot Line. By going through Belgium, the Maginot Line proved almost useless in defending the French homeland, and it did nothing to counter the blitzkrieg tactics used by the Germans to counter static defenses.

I might also add here that Gen. Charles de Gaulle, who I believe was not a general at that time but a colonel, opposed the Maginot Line, but the

French Government, I am sure, probably in sort of a working relationship with concrete people and builders and those who wanted to make a lot of money building this huge fortification, decided to go down that road. Charles de Gaulle warned of the blitzkrieg coming and that the Maginot Line would do nothing to protect them against it.

I think the analogy of the Maginot Line to ballistic missile defense is startling. Are we going to spend tens of billions of dollars on a defense against a single threat? Will our enemies simply go around the ballistic missile defense, our Maginot Line? Of course, they will. The counter is simple. Truck bombs, weapons of mass destruction slipped into our country by plane, boat, or truck would all go around the ballistic missile defense.

Perhaps some of my colleagues want a simple answer to real and potential threats from around the world. We want a simple silver bullet defense against a dangerous world. We may spend billions of dollars for this new Maginot Line, but the result will be the same as it was for the French 60 years ago. Life is just more complicated than what a national missile defense could counter.

In fact, the Maginot Line analogy applies, I think, to the psychology of missile defense. As Louis Snyder wrote, "The French public, too, had an almost mystical faith in the Maginot Line and believed its defense to be absolute and total."

Mr. President, I hope we don't fall in the same trap, but ever since star wars started under the Reagan administration, we have had this sort of concept that we could build some kind of a dome over the United States that would be impregnable, that would totally and fully protect all of our citizens. That is mythical. There is no such dome. A truck bomb, a terrorist attack by boat, a suitcase, anthrax poisoning, that missile shield would never protect us from anything such as that.

So I hope and trust that the authorizing committee will take a look at all these other threats, I think much more real, much more determinable, and I believe much more effectively countered other systems than a national ballistic missile defense system.

So that, again, was the purpose of my amendment. It was to try to bring balance. I appreciate the fact that this bill is focused on one area. But I still believe that this is the way we ought to go if we are going to make any rational decisions around here on how we spend our taxpayers' dollars on defense.

I think we need this kind of study, and I appreciate what Senator LEVIN has said. I appreciate his leadership. In my conversation with Senator WARNER from Virginia, the chairman, he was open to this, and I hope and trust that the Armed Services Committee will proceed down that line and provide us

with the kind of balanced information we need on the Appropriations Committee before we go down this road of spending billions of dollars on a ballistic missile defense.

AMENDMENT NO. 75 WITHDRAWN

Mr. President, with that, I ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

The amendment (No. 75) was withdrawn.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I start out by extending my appreciation and praise to the Senator from Mississippi, Senator COCHRAN, who has done an incredible job on this legislation. He has, for years, advocated a capability of this Nation to defend itself against missile attack. Without his dedication and hard work we would not be here today. The Senator from Mississippi has performed a signal service, not only for the people of Mississippi but the people of this Nation, including all 50 States rather than just 48. I thank him for the marvelous job he has done.

I also think it is worthy of note that the persuasiveness of his arguments have caused the administration to significantly shift their position on this very important issue. So, again, my congratulations to the Senator from Mississippi and my sincere appreciation.

Mr. President, the question of whether to deploy defenses against ballistic missiles has been a contentious and unresolved issue for over 40 years. As a result, Americans today are vulnerable to destruction by a missile attack on our soil. The bill before us today, the National Missile Defense Act of 1999, resolves this national policy debate by calling for the deployment of an effective missile defense system when technologically possible to protect our citizens from the threat of a ballistic missile attack on the U.S.

Secretary of Defense Bill Cohen announced in January that the Clinton Administration, after years of discounting the existence of a missile threat to the U.S., will now support and provide the necessary funding for development and deployment of a ballistic missile defense system. On the surface, this appears to be one of the President's more propitious policy reversals. Yet, the Clinton Administration threatened to veto this bill, which establishes in law the missile defense policy the Administration now claims to support.

While I am pleased that the Administration has lifted its veto threat, I

question the interpretation of the passage of yesterday's amendment that reportedly provided the basis for this latest reversal of position. The United States should proceed with deployment of a missile defense system irrespective of whether Russia agrees to reduce its nuclear force levels in accordance with the START II agreement. How many times do we have to point out that the requirement for missile defenses is predicated upon a much broader threat that the Administration apparently still doesn't fully comprehend.

Mr. President, since its inauguration, the Clinton Administration has demonstrated an approach to national defense that can only be described as disengaged and minimalist. Administration officials have sought not to maximize our military strength within reasonable fiscal constraints, but to find ways to minimize defense spending at the expense of military capability and readiness, and in so doing, they have endangered our future security.

Our late colleague and a man I greatly admired, Senator John Tower, stressed time and again that the size and composition of our Armed Forces, and thus the amount of our budgetary resources that are devoted to defense, must be determined by the level and nature of the threat. The Clinton Administration's long-standing opposition to missile defenses, as well as its continued refusal to provide adequate levels of defense spending, are the complete antithesis of Senator Tower's sound advice. Consequently, our nation is vulnerable right now to the threat of an accidental or unauthorized missile launch from Russia or China, and will be vulnerable to additional threats in the near future from North Korea and other rogue nations implacably hostile to America and governed by unpredictable leaders.

Mr. President, one of the principal reasons for our country's vulnerability to ballistic missile attack is not lack of money or technology. It is the 1972 ABM Treaty.

In the 1960s, at the height of the Cold War, then-Secretary of Defense Robert McNamara developed the theory of Mutual Assured Destruction as a means of deterring nuclear war between the U.S. and the Soviet Union. This concept relied on the assumption that, so long as both the U.S. and the Soviet Union were confident of their ability to retaliate against each other with assurance of enormous destruction, nuclear war would be averted and there would be no incentive to build more offensive nuclear weapons.

The 1972 Anti-Ballistic Missile Treaty was an essential component of this "balance of terror" concept. It prohibits the deployment of effective defensive systems which were perceived as undermining the concept of mutually assured destruction. In effect, the ABM Treaty was designed to keep the

citizenry of both the U.S. and the former Soviet Union equally vulnerable to destruction in a nuclear exchange.

The ten years following ratification of the ABM Treaty, however, witnessed the greatest expansion of Soviet offensive strategic nuclear forces in history, destroying the basic premise of the MAD doctrine, and the ABM Treaty as well. Yet, the Treaty's proponents cling to it with an almost theological reverence.

It was President Reagan who finally called into question the wisdom of continuing to deprive ourselves of missile defenses in the face of overwhelming evidence that the Soviet Union was pursuing the capability of launching a debilitating strike against the U.S. His March 1983 speech set the stage for the first serious discussion of defensive systems in over a decade. If his vision of a global system was technologically and financially unrealistic, his dream of protecting the American public from the threat of foreign missiles was prescient, and the Strategic Defense Initiative—the butt of many a joke by arms control theorists—was instrumental in bringing down the Soviet Union without firing a shot.

Since work began in earnest in the Reagan Administration to develop missile defenses for our nation, the threat has changed. The end of the Cold War and the emergent threat of ballistic missile proliferation have fundamentally altered the approach this country must take to the issue of missile defenses. In fact, the imperative to deploy effective systems is greater now because of the unpredictability of the potential threats.

Throughout the Bush Administration, as our overall defense strategy and budget were being adjusted to reflect the changes in the world, so too was our plan for ballistic missile defenses revised to address the changed threat.

Unfortunately, the Clinton Administration has retained allegiance to the outmoded ABM Treaty and, over the years, has significantly cut the funding and restricted the objectives of the ballistic missile defense program.

Remember, back in 1994, when the President evoked considerable laughter from his audience at a campaign rally when he said:

Here's what they [the Republicans] promise . . . we're going to increase defense and we're going to bring back Star Wars. And then we're going to balance the budget.

The Clinton Administration's attitude for the past six years has been to ridicule efforts to develop and deploy a system to effectively defend our nation against a ballistic missile strike. The result has been a significant and dangerous delay in ending the "terror" of a nuclear strike.

Now, the President has belatedly agreed, at least rhetorically, to the

agenda he formerly ridiculed. While I applaud the President's words, I remain more than mildly skeptical about his true commitment to protecting our nation from the clear threat of missile attack.

The President's budget proposal, which was submitted to the Congress on February 1, proves skeptics correct.

While the President was pledging more funding for development of a national missile defense system on one hand, his other hand was taking \$250 million out of the program to pay for the Wye River Agreement. At the same time, the Administration decided to push back the deployment date for missile defenses from 2003 to 2005, with no justifiable reason for doing so.

If the President is truly getting serious about missile defense, why would he show us the money, and then snatch it back and slip the deployment date two additional years beyond its already much-delayed timetable?

Another indication of the Administration's disingenuous embrace of missile defenses are the qualifications attached to its support in two areas: questions about the nature of the threat, and continued deference to the restrictions of the ABM Treaty.

No fewer than 30 times over the last several years, President Clinton has gone before the public and boasted that, thanks to his policies, the American people, for the first time since the dawn of the Cold War, can go to sleep at night without the threat of missiles targeted against their country. Clearly, the Administration has been existing in a virtual state of denial about the expanding and diverse threat of ballistic missiles.

I urge the President to take another look at the report of the Commission to Assess the Ballistic Missile Threat to the United States, known as the Rumsfeld Commission. It is a completely nonpartisan and very sobering look at the threats we face. The Commission concluded that the threat is here now, and that traditional methods of determining the nature and scale of the threat need to be examined.

The Rumsfeld Commission's meticulous examination of the growing threat to the U.S. of ballistic missiles, with its emphasis on the difficulties inherent in determining when serious threats will appear and the tendency of such threats to materialize sooner than anticipated, should have shaken the White House out of its fatuous complacency. Apparently, that is not the case.

A recent article in *Inside the Pentagon* pointed out that, even after the Rumsfeld Commission report was released in July 1998, the Administration predicted the absence of a rogue nation threat, excepting North Korea, before 2010. And in a February 3 letter to the Chairman of the Senate Armed Services Committee, the President's National Security Advisor, Sandy Berger,



wrote that, prior to a decision to deploy a national missile defense system, "the President and his senior advisers will need to confirm whether the rogue state ballistic missile threat to the United States has developed as quickly as we now expect. . . ."

Apparently North Korea's launch last August of an intercontinental ballistic missile over Japan, Iran's ongoing efforts with Russian assistance to develop such a missile, and Iraq's continuing efforts in that regard do not constitute a threat.

Equally disturbing is the Administration's view of the ABM Treaty. In his February 3 letter, Mr. Berger reiterated that "the ABM Treaty remains a cornerstone of strategic stability"—a reminder that we are dealing with an Administration that is imbued with an unquestioned adherence to an outdated treaty. While I am mindful of arguments that deployment of national missile defenses may be perceived by some nations as a potentially hostile act, theories of nuclear deterrence that were of questionable value during the Cold War clearly do not apply today or in the foreseeable future and should not be permitted to stand in the way of going forward.

If the Administration supports deployment of an effective national missile defense system, it cannot remain wedded to the ABM Treaty. Make no mistake, the ABM Treaty was intended to and does preclude our ability to deploy nation-wide missile defenses. Construction of a missile defense facility at the one treaty-permissible site cannot be expanded for national coverage without violating the terms of the treaty. While the original 1972 treaty permitted each country two sites, it stipulated that they had to be deployed so as to preclude even regional coverage.

Deploying a national missile defense system, therefore, requires either unilateral abrogation of the ABM Treaty or an expeditiously negotiated revision of it. As the treaty clearly prohibits us from providing for the common defense—our most fundamental constitutional responsibility—I urge the Administration to proceed without delay to achieve the needed changes to the treaty, or move for its abrogation.

Questionable in its utility even at the time it was negotiated, the ABM Treaty was signed with a totalitarian regime that no longer exists and which violated the treaty at every opportunity. Its day is past. If Russia will not agree to negotiate changes to the treaty that will permit deployment of national missile defenses, then we must exercise our authority to withdraw from the treaty to protect our national interests.

Mr. President, let me take a moment to talk about the larger problem, of which the Administration's refusal to recognize the clear threat posed by pro-

liferating ballistic missile development is but one aspect.

I have long been critical of many aspects of the Clinton Administration's national security policies. This is an Administration that has never been comfortable with the conduct of foreign policy, and so has little grasp of the role of military force in guaranteeing our place in world affairs. Both our policies and the force structure needed to support them seem to be decided in this Administration on the basis of what we can afford after taking care of all other priorities, instead of what is necessary to protect our interests.

We can honestly debate the merits of the numerous contingencies to which the Administration has deployed military force, but no one can deny that the combination of over 10 years of declining defense budgets and longer and more frequent force deployments has stretched the Services perilously close to the breaking point. What is at risk, without exaggeration, are the lives of our military personnel and the security of the United States.

After years of denying the obvious, in the face of compelling testimony before Congress from the Joint Chiefs of Staff, the Administration has finally begun to concede that we have serious readiness problems in our Armed Forces. Those of us who have been criticized for sounding alarm bells about military readiness now have the empty satisfaction of seeing the Administration admit there is more to maintaining a strong defense than their history of falsely promising to do so.

After six years of short-changing the Armed Forces, the President proposed adding money to the defense budget—another stunning policy reversal—for readiness, modernization, and even national missile defense. Once again, though, his rhetoric far exceeds his actions.

Last fall, the President asked for \$1 billion in immediate, emergency funding to redress readiness problems—a mere drop in the bucket compared to what the Service Chiefs said was required. Congress added another \$8 billion, but then wasted most of that on pork-barrel spending. The result—a band-aid solution to a serious readiness crisis.

The same minimal approach is reflected in the President's budget submission for Fiscal Year 2000. After promising a budget increase of \$12.6 billion, the President only asked for \$4.1 billion in his budget request, and most of that will be needed to pay for ongoing contingencies in Bosnia and southwest Asia and desperately needed military pay raises and benefits. The rest of the so-called increase comes from "smoke and mirrors", like anticipated lower inflation and fuel costs, cuts in previously funded programs, and an

economically unsound incremental funding plan for military construction projects. And even if everything works as planned, the Administration budget short-changes the military next year and every year thereafter.

There is a pattern here, Mr. President, of promising everything and delivering very little. Whether it's protecting our citizens from a ballistic missile attack, or maintaining modern, prepared armed forces, this President seems incapable of following through on his commitments.

Mr. President, I am uncomfortable with a conclusion that the President does not care about the common defense. I must assume, instead, that he simply fails to understand the imperative of establishing policies and providing needed resources to protect our nation's interests and our citizens.

The National Missile Defense Act of 1999 establishes a national policy that we must protect Americans from a clear and present danger—the threat of ballistic missile attack. The President was correct to withdraw his veto threat and join with the Congress to put in place both the policy and the resources that will make our citizens safe.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, I rise in support of S. 257. Although this bill is not as comprehensive or detailed as I would prefer, I have come to the conclusion that S. 257, as amended, sends an important signal of our country's commitment to defending itself from ballistic missile attack from a rogue state.

As my colleagues are aware, I am an advocate for national missile defense, and have authored legislation that has advanced the NMD program. I urge the Administration to include funding in the budget that would allow for NMD deployment, and am pleased that \$6.6 billion was added to the future years defense plan for this purpose.

Increasingly, I am convinced that we need NMD sooner rather than later. Last July, the Rumsfeld Commission reported that several rogue states could develop an ICBM capable of threatening our country before we expect it. Recent missile tests by North Korea and Iran have confirmed the essence of the Rumsfeld panel's findings. I was disturbed by these developments, but have long said that we should be prepared before we are surprised.

Our country needs to move forward aggressively with NMD. But because our NMD program does not exist in a vacuum, it needs to be guided by what I call three common sense criteria: compatibility with arms control, affordability, and use of proven, tested technology.

As introduced last year S. 257 did not address these concerns, and its authors were refusing to entertain amendments. For these reasons, in 1998 I opposed this measure.

I am pleased that the bill's authors decided to support improving S. 257 through the amendment process. With the addition of the amendments offered by Senators COCHRAN and LANDRIEU, today I am prepared to support S. 257. Allow me to briefly discuss the impact of these amendments.

Yesterday the Senate, on a 99-0 vote, approved an amendment offered by Senator COCHRAN that will ensure that considerations of affordability and use of proven technology will not be neglected. By stating that funding the NMD will be subject to Congressional authorization and appropriations, the Cochran amendment indicates that no final decisions about deployment, funding levels, or the system's technological maturity have been made. I thank my esteemed colleague from Mississippi for his comments on this point during his colloquy with Senator BINGAMAN earlier today. Let me repeat: as amended, S. 257 is not the final word on NMD cost and use of proven technology.

Even more significant was the amendment offered by the distinguished ranking member of the Armed Services Committee's Strategic Forces Subcommittee, Senator LANDRIEU. In affirming that it is our nation's policy to pursue continued negotiated reductions to Russian nuclear forces, the Landrieu amendment makes unmistakably clear that as our NMD program moves forward we will take into account our arms control agreements and objectives. Because there can be little hope of Russian agreement to further nuclear reductions in the absence of continued United States support for the ABM Treaty, following through on the Landrieu amendment will require continued adherence to the ABM Treaty.

I would also like to note that I have been assured by the President's advisors that in no way will S. 257 be interpreted by our nation's arms control negotiators as a repudiation of the ABM Treaty. Administration officials continue to make it clear that the ABM Treaty remains the "cornerstone of strategic stability," and that the Administration has a "strong commitment to the ABM Treaty."

I cannot understate the importance of these amendments. Without them, I would again vote against S. 257.

It is true that I would have preferred that the Senate would today be passing a more comprehensive NMD bill, one that is more explicit about the importance of our arms control agreements and offers specific guidance on affordability, system component selection, and technology development and deployment. It is my intention to introduce legislation which will describe in more detail how the NMD program should proceed.

For the time being, however, I regard S. 257 as a constructive contribution to

our NMD program. It will do no harm to our nation's security, and will put our nation's potential enemies on notice that we are working aggressively to establish a defense against ICBMs. As amended, S. 257 will also help ensure that concerns of arms control, cost, and use of proven technology will be carefully considered. This is a good bill, and will have my support.

Mr. LUGAR. Mr. President, during the Cold War, the United States co-existed with the Soviet Union in a strategic environment characterized by high-risk but low-probability of a ballistic missile exchange between the two countries involving nuclear, chemical and biological weapons.

Today, however, with the dissolution of the Soviet Union and the end of the cold war, the opposite is the case—we live in a lower-risk but higher-probability environment with respect to ballistic missile exchanges. In other words, even as the probability of a large-scale nuclear exchange between the United States and Russia has mercifully declined, the probability that one or several weapons of mass destruction might be used to attack the American homeland or American forces at home or abroad has increased.

Indeed, absent a U.S. response to the proliferation of ballistic missiles and weapons of mass destruction that is as focused, serious, and vigorous as America's cold war deterrent strategy to protect the American homeland and the West, Americans can anticipate the threatened as well as the actual use of diverse weapons delivery systems to attack the U.S. homeland in the future.

Missile defense must be a part of that response. For that reason, I am pleased to be an original cosponsor of the legislation before us and commend Senator COCHRAN for his leadership on this issue.

Let me explain my strong support for this bill.

Missile defense is not a silver bullet that, by itself, can adequately protect the United States from the enhanced threats posed by ballistic missile proliferation and the spread of weapons of mass destruction. But it is an important component that gives added credibility to the other elements of our strategy.

I approach the response to these threats to American security through the prism of "defense in depth." There are three main lines of defense against emerging ballistic missile threats and weapons of mass destruction. Together, they help form the policy fabric of an integrated defense in depth.

The first line of defense is preventing proliferation at potential sources abroad. The second is deterring and interdicting the flow of illicit trade in these weapons and materials. The third line of defense is "homeland defense" and involves programs that run the gamut from preparing domestically for

WMD crises to protection against limited ballistic missile attacks.

With respect to the initial line of defense, the United States is implementing programs that address the threat posed by weapons of mass destruction at the greatest distance possible from our borders and at the most prevalent source, the former Soviet Union. While much more remains to be done, the Nunn-Lugar Scorecard is impressive. Nunn-Lugar has facilitated the destruction of 344 ballistic missiles, 286 ballistic missile launchers, 37 bombers, 96 submarine missile launchers, and 30 submarine launched ballistic missiles. It also has sealed 191 nuclear test tunnels. Most notably, 4,838 warheads that were on strategic systems aimed at the United States have been deactivated. All at a cost of less than one-third of one percent of the Department of Defense's annual budget. Without Nunn-Lugar, Ukraine, Kazakhstan, and Belarus would still have thousands of nuclear weapons. Instead, all three countries are nuclear weapons-free.

The second line of defense against these threats involves efforts to deter and interdict the transfer of such weapons and materials at far-away borders. Nunn-Lugar and the U.S. Customs Service is working at the borders of former Soviet states to assist with the establishment of export control systems and customs services. In many cases these nations have borders that are thousands of miles long, but local governments do not have the infrastructure or ability to monitor, patrol, or secure them. These borders are particularly permeable, including points of entry into Iran on the Caspian Sea and other rogue nations.

We must continue to plug these porous borders abroad. These nations are seeking our help and it is in our interests to supply it. Secure borders in this region of the world would strengthen our second line of defense and serve as another proliferation choke-point.

The third line of defense involves the United States preparing domestically to respond to these threats. That is the purpose of the 1996 Nunn-Lugar-Domenici Defense Against Weapons of Mass Destruction Act. This law directs professionals from the Department of Defense, Federal Bureau of Investigation, Department of Health and Human Services, the Federal Emergency Management Agency, and others to join into partnerships with local emergency professionals in cities across the country. The Pentagon intends to supply training and equipment to 120 cities across the country over the next four years. To date, 52 metropolitan areas have received training to deal with these potential threats.

We must take those steps necessary to protect the American people from these threats and Nunn-Lugar and Nunn-Lugar-Domenici make powerful

contributions to our efforts. We have made significant progress in reducing these threats and constructing a defense-in-depth. But a complete defense-in-depth must include protection from missile attack.

I was pleased to see this common-sense, bipartisan approach to the missile defense issue embodied in the Cochran bill. The bill states: "It is the policy of the United States to deploy as soon as technologically possible a national missile defense system capable of defending the territory of the United States against limited ballistic missile attack."

This bill offers a new approach to the missile defense policy debate. It does not specify a specific system architecture or deployment dates which have bogged down previous legislative proposals.

The national missile defense system promoted both in this legislation would not be capable of defending against thousands of warheads being launched against the United States. Rather, we are planning a system capable of defending against the much smaller and relatively unsophisticated ICBM threat that a rogue nation or terrorist group could mount as well as one capable of shooting down an unauthorized or accidentally launched missile.

At minimum, the recent revelations over Chinese nuclear espionage suggests that China is intent on building its military capabilities to a point that exceeds the projections and assessments of the U.S. military and intelligence community. The Cox committee findings have done for American appreciation of the potential Chinese nuclear threat what the Rumsfeld Commission did for our knowledge of North Korean and Iranian capabilities. And like the latter, the former may highlight the need to review the impact of such enhanced nuclear capabilities on our existing assumptions and requirements with respect to a limited ballistic missile defense system. Illicit acquisition and testing of the design for the W-88 nuclear warhead strongly suggests that the Chinese are modernizing their strategic force and using such tests to develop mobile missiles to possibly penetrate missile defense.

Acquisition of United States nuclear warhead technology will give China a major boost in its strategic capability when added to other recent improvements to its long-range missiles. Indeed, possession of the design of the W-88 would have helped China advance toward key strategic goals. Equally important, China's possession of the design of advanced United States warheads poses a proliferation risk. Such warheads have features that could prove useful to aspiring nuclear weapons states. In brief, if China shared W-88 warhead design information with nations like North Korea, Pakistan, or Iran, they could develop and deploy a

more potent nuclear force in a shorter period of time.

Lastly, lighter, smaller warheads in the Chinese nuclear arsenal will increase the range of Chinese missiles and make it easier for submarine-launched ballistic missiles to hit the United States. And this, in turn, could make a strategic difference if the United States and China were once again to come to odds over Taiwan. Certainly, it could have an impact on the efficacy of any American plans to include Taiwan—or Japan for that matter—in any regional missile defense system.

In short, these recent revelations should force us to reconsider a number of the assumptions and resulting requirements that underlie our thinking both on theater as well as national missile defense. The recent report by the Rumsfeld Commission raised serious doubts about the core assumptions that undergird administration policy for developing a national missile defense systems and for considering amendments to the ABM Treaty. The Cox committee report not only called into question other core assumptions but also the requirements for an effective, if limited, national missile defense system.

The Rumsfeld Commission took an independent look at the critical question of warning time and not only dissented from the intelligence community's estimates but struck at the core of the administration's "3+3" policy by finding that a ballistic missile threat to the United States could emerge with little or no warning over the next 5 years.

Even before the Rumsfeld Commission issued its report, Senator COCHRAN, along with Senator INOUE, introduced the legislation before us. It directs the deployment of effective anti-missile defenses of the territory of the United States as soon as "technologically feasible." By making a missile defense deployment decision dependent on technical readiness as opposed to intelligence estimates about emerging threats and warning time, this legislation appeared to many to take an approach to missile defense that is fundamentally different from the administration's policy. Indeed, critics of the Cochran bill have gone out of their way to try and paint major differences with the administration's policy.

The Cochran bill attempts to determine whether and how our current policy on national missile defense should be changed in light of the growing disutility of warning time and intelligence estimates as triggers for deployment decisions. While critics may argue that the Cochran bill neither provides a clear answer to that question or a clear policy alternative to that of the administration, it does propose that a deployment decision rest

on more than whether a national missile defense system simply is "technologically feasible". The Cochran bill also sensibly insists that the national missile defense system be effective "against limited ballistic missile attacks (whether accidental, unauthorized, or deliberate)" before it is deployed.

The Cochran bill is a statement of intentions, not a policy map, and it represents not an escape from but rather a recognition of the difficult intelligence and policy problems with respect to the kinds of emerging ballistic missile threats, the time-frame for their emergence, and what we should do about them.

So the Cochran bill recognizes that there will remain the tough policy and intelligence questions that cannot be ducked. The 1972 ABM Treaty was intended to preclude the kind of nationwide missile defenses that could undermine the credibility of a large second strike deterrent, using measures based on technology over 25 years ago. In 1999, both the threats and the technology have changed. The threat posed by the proliferation of ballistic missiles is clearest, and the ABM Treaty should not be allowed to interfere with programs to deploy effective defenses.

Equally important, there is nothing in the Cochran bill that would prevent us from engaging the Russians in discussions about modifying the ABM Treaty to permit effective national defenses against the kinds of missile attacks that should constitute the post-cold-war threat of concern to both countries. If these exchanges are not successful, then consideration can be given to withdrawing from the agreement.

Finally, critics of the Cochran bill complain both about the timing of the bill as well as the message it sends to the Russians. Three points are worth making. First, for the critics there is never a good time to take up missile defense and in this they are joined by the Russians. And to the great surprise of absolutely no one, the Russians have announced that the Duma might be prepared to take up START II again. With Russian Prime Minister Primakov on his way to Washington, I would say that the timing is just about right.

The administration must be more forthcoming with Russia on the issue of missile defense. It must explain to Moscow that this defense is not meant as a threat or an attempt to neutralize Russia. Rather, we are attempting to protect ourselves from the machinations of rogue states and terrorist groups. In my trips to Russia and in visits with Russian legislators and members of the Yeltsin Government, I have continued to inform them of a simple fact: America will protect itself.

The Russians—and the world—need to understand that we will proceed

with non-proliferation, domestic preparedness, and missile defense to protect the American people against an attack from a rogue state or terrorist group or an accidental or unauthorized attack by another nation.

Secondly, Russian nuclear reductions and eliminations are continuing and even accelerating with American help despite the absence of START II ratification. To the extent that those eliminations become constrained, it will be for reasons of resources, not lack of Duma approval of START II.

Thirdly, critics of the Cochran bill would argue that the congressional expression of intent embodied in the legislation regarding deployment of a limited missile defense system will prejudice any chances of negotiating appropriate adjustments in the ABM Treaty with the Russians to accommodate such defenses. There I disagree! It is precisely because many Russians have doubted the serious intent of the Clinton administration in actually proceeding with a limited deployment under the "3+3" plan that we have been treated to dire predictions out of Moscow about the "end of arms control" were the United States to ultimately proceed with missile defense.

Rather than prejudicing any opportunity to negotiate changes in the ABM Treaty, I believe that the statement of intent embodied in this legislation to ultimately defend ourselves against limited ballistic missile attacks is a prerequisite to successful ABM modification negotiations. It has never been our technological prowess nor our ability to amass and apply resources to a problem that the Russians have doubted; it has been our political will that has been suspect in Russian eyes when the choices to be made were difficult ones.

In conclusion, the ballistic missile threat to our security interests is real. But it is also complex. The Cochran bill recognizes these realities. But the bill also recognizes that it is not the only threat we face nor can it be addressed in isolation from other major security issues and policies.

As Senator COCHRAN said, this legislation represents not the end of the missile defense policy and program debate but rather the beginning. If I recall correctly where the two parties stood on the issue of missile defense even a year or two ago, I am struck by the efforts of a few dedicated Members on both sides to bridge the gap in our legislative approaches in the interest of addressing the growing vulnerability of the American homeland to ballistic missile attacks. We have come a considerable distance in the last year in narrowing our differences. Senate passage by a strong majority of this expression of policy intent with regard to the ultimate deployment of an effective limited missile defense system is a measured but essential first step.

Mr. BYRD. Mr. President, the security of this nation in an increasingly insecure world remains the highest priority of the United States government. To that end, we support and finance the most powerful military in the world. Our troops have the most advanced weapons available. We have gifted and dedicated military strategists at the helm.

And yet we remain vulnerable, in some ways perhaps more so today than we were at the height of the Cold War. The increased sophistication, radicalization, and financial acumen of the terrorist organizations have escalated the threat of terrorist attacks on U.S. soil. The increased interdependence and complexity of computer networks has intensified the threat of potentially devastating cyber attacks on critical defense and domestic communications systems. And despite the end of the Cold War, the proliferation of nuclear weapons technology, particularly among rogue states, has brought with it a renewed threat of nuclear attack on our homeland.

North Korea, Iraq, and Iran are all working furiously to produce nuclear weapons systems that could threaten the sovereign territory of the United States. To our dismay, we have discovered that North Korea, one of the most belligerent outlaw nations in the world, is much further along than previously thought in its efforts to produce a nuclear warhead capable of reaching our shores. The threat from North Korea is sooner rather than later; here rather than there. China, with whom our relations are increasingly strained, has boasted of its possession of a ballistic missile that could reach Los Angeles. Russia, with an arsenal of thousands of nuclear weapons left over from the Cold War, is faced with a crumbling military infrastructure and increasingly empty assurances regarding the security of its nuclear stockpile.

In short, we are living in dangerous times. The Administration has taken a number of steps in recent months to accelerate its efforts to protect the U.S. mainland from attack. As part of that effort, the President has budgeted an additional \$6.6 billion dollars to develop a National Missile Defense, or NMD. The legislation that we are considering today, S. 257, the National Missile Defense Act of 1999, puts the United States Senate firmly on record as endorsing the urgency of that program. As a result of several carefully crafted amendments that have been overwhelmingly adopted, this bill has gained strong bipartisan support. Senators COCHRAN, LEVIN, LANDRIEU, and the many others who have worked to reach consensus on this bill are to be commended.

I support the National Missile Defense Act of 1999 as amended. But, from the vantage point of many years of ex-

perience, I also offer a few words of caution. Let us not allow the determination to press for a ballistic missile shield to blind us to other, perhaps greater, threats of sabotage. The technology exists, and is available to those same rogue nations, to develop and deploy chemical and biological weapons without the need for a ballistic missile delivery system. A few vials of anthrax, a test tube full of the smallpox virus, some innocuous canisters of sarin gas, could wreak chaos of unimaginable proportion in the United States. These threats are as real as the threat of a ballistic missile attack, and, if anything, more urgent.

A second cautionary note: let us not allow our eagerness to develop a missile defense system blind us to the cost of developing such a system. In our zeal to erect a national missile shield, the danger exists of committing such a vast array of resources—money, people, research priorities—that we could shortchange other necessary initiatives to protect our national security. We need a balanced national security program, of which a missile defense is but one element.

We have gone down the road of throwing money at this threat before, with the ABM system in the 1970's and SDI in the 1980's. Both efforts cost us billions of dollars, oceans of ink, years of wasted effort. Neither, in the end, made one iota of difference to our national security. Technological feasibility should be the starting point, not the defining element, of a missile defense system. Let us learn from the past. Invest wisely. Test carefully. Assess constantly. This is not the arena in which to allow partisan politics or political one-upmanship to hold sway. This is a matter of far too great consequence to this and future generations. The bipartisan negotiations and the spirit of compromise that have marked the Senate debate over this bill give me cause to hope that this time, we will do it right. Let us continue to work together toward an effective, realistic, and prudent national defense system.

Finally, let us not for a moment forget the importance of working actively and diligently to reduce the number of existing nuclear warheads and curb the proliferation of nuclear weapons. A national missile defense system that precipitates a global arms race is in no one's best interest.

We cannot safely assume that today's geopolitical alliances will be the same tomorrow. A weak and politically chaotic Russia may be not seen as much of a threat to our security today—at least not intentionally—but as it has done before, the situation in Russia could change in the blink of an eye. We have at hand the means and the will and the opportunity to work with Russia to reduce nuclear warheads. Yes, we must take all necessary precautions to protect our security, but we must not be

so shortsighted as to let this opportunity for meaningful arms control be muscled aside through misguided belligerence.

With care and planning, we can make progress in both arms control and missile defense. How well we will succeed on both fronts remains to be seen, but S. 257 as amended is a good first step.

Mr. HATCH. Mr. President, there is little doubt that the moment of truth regarding a missile defense of U.S. territory is fast approaching.

The need for it was not unseen. Since 1983, there has been a steady flow of evidence that the post-cold-war era would not be the single superpower cakewalk that many expected. In place of the single adversary nuclear threat, we see a fragmented threat environment populated by mentalities more given to terrorism than the mass attack, direct confrontational strategies of the cold war.

The cloudy grasp that we have of the true threat is not helped by the Clinton administration. They lack a strategic approach to a threat that they don't really know or understand.

They rely on the prevention policies. Arms control and non-proliferation agreements are of questionable value. Disarmament assistance to the former Soviet Union has not kept nuclear, missile, or warhead technology from slipping abroad and has had its most adverse impact on our own U.S. steel workers and the United States rocket launch industry. United States industry has been encouraged to purchase Russian launch vehicles, technologies, and services to keep them from slipping out of the country. The administration is reluctant to squelch illegal Russian steel imports into the United States for fear of causing civil strife among Russian steel workers. Multilateral export controls are not multilaterally enforced, and the framework agreement with North Korea is neither a framework for cooperation nor an agreement.

Second, there is deterrence. However, there is sufficient doubt in the world today about this administration's resolve to use force.

This leaves us with the third element of administration missile defense policy: the missile defense force itself. Supposedly, that is our fall back position when prevention and deterrence fail. But when the force structure depends on a strategy that does not address a threat because the threat is unknown, one seems forced toward the very disturbing conclusion that the easiest way to avoid the messier aspects of the problem, like tampering with the ABM Treaty, is simply to politicize the threat. For too long it has appeared that this administration underestimates the threat in order to preserve the sanctity of a treaty increasingly irrelevant to the contemporary threat environment.

Let me say more about this last issue. In starker terms this means denial, even wishing the real threat away. One would think that it was embarrassing enough for the Clinton threat team to make the sudden and very recent admission that there is a missile threat to U.S. territory. And, by the way, this now includes Alaska and Hawaii, which the administration had chosen to place outside of U.S. territorial boundaries to give academic weight to its anti-development and deployment arguments. If they are seriously seeking the truth, they do not demonstrate it by re-examining the ABM Treaty restraints. Here the administration has a rare opportunity for leadership on a badly understood and very divisive issue. The President acknowledged just this January that, with the long-range missile threat to U.S. territory better understood, progress on developing our defenses would be pursued by renegotiating rather than abandoning the ABM Treaty.

I do not intend to await the outcome of administration negotiations on ABM modifications and amendments, which will take some time given traditional Russian Duma management of the treaty ratification process. In the meantime, I will urge the strongest possible pursuit of conceptual strategies, like the sea-based missile defense force, as well as land-force and space-based missile defense components.

Inaction is eclipsing administration options. Since I join many colleagues as well as other experts outside of official circles in believing China, Russia, Iraq, Iran, India, Pakistan, and South Africa, among others, have real threat capabilities, I want something done by way of creating a viable defense of U.S. territory. For this very reason, I have joined my good friends, Senators COCHRAN and INOUE as a cosponsor of the National Missile Defense Act of 1999.

Mr. KENNEDY. Mr. President, on balance, I believe this legislation deserves bipartisan support. There is a clear need to do more to protect our country from the threat of missile attacks. This bill avoids most of the problems of previous versions and is consistent with our responsibility to continue working with Russia to reduce the immense threat from their nuclear arsenal.

The bill declares that it is the policy of the United States to deploy a limited national missile defense system as soon as it is technologically possible, but it also stresses that it is the policy of the United States to continue to negotiate with Russia to reduce our nuclear arsenals.

There is no doubt that the United States is facing a growing threat to our country and our interests from rogue nations that possess increasingly advanced missile technology. We must prepare for these threats more effec-

tively by making greater investments in research and development to produce a missile defense system able to defeat these threats.

But, before we decide to actually deploy such a system, we must ask ourselves the following questions:

What is the specific threat we are countering with this system?

Will the system be effective?

What impact will the deployment of the system have on the nuclear arms reduction and arms control agreements we currently have with the Russians?

What will be the cost of the system?

The Rumsfeld Report in 1998 clearly demonstrated the growing missile threat from rogue nations. In spite of international agreements to control the spread of missile technology, these nations are resorting to whatever means it takes to acquire this capability. Because of this growing threat, we must do more to decide whether a defense is practical and can deliver the protection it promises.

Many of us continue to be concerned that the step we are about to take could undermine the very successful nuclear arms reduction treaties and other arms control agreements that we have with Russia. Our purpose in developing a limited national missile defense system is not directed at Russia. It is intended to protect our country against the growing missile threat from rogue nations.

Russia's strategic nuclear force would easily overpower the limited missile defense system that is currently proposed. But the fact remains that the United States and Russia are parties to the Anti-Ballistic Missile Treaty. Without changes to that treaty, our ability to fully test and deploy this defense system cannot occur.

The ABM Treaty is also the foundation for the SALT I and SALT II nuclear arms reduction treaties, which paved the way for the START I and START II treaties. The Russian Duma is again preparing to debate the ratification of the START II treaty, and will do so when Russian Prime Minister Primakov returns from his visit to the United States. President Clinton has already sent a delegation to Russia to discuss changes in this treaty. We must work closely with the Russians to make mutually acceptable changes to the ABM Treaty in order to accommodate a missile defense system. The ABM Treaty is simply too important to abandon.

We also need to work with Russia to develop a joint early warning system, so that false launch alarms can be avoided. We need to strengthen the Cooperative Threat Reduction programs at the Department of Defense. We need to strengthen the Nuclear Cities programs and the Initiative for Proliferation Prevention program at the Department of Energy so that we can reduce the danger that nuclear material

will end up on the hands of rogue nations or terrorists.

Finally, we must continue to strengthen other counter-terrorism programs. It is far more likely that if terrorists use nuclear, chemical, or biological weapons against Americans at home or abroad, they will be delivered by conventional methods rather than by a ballistic missile launch from another country. These threats must weigh at least equally—if not more heavily—in our defense decisions.

These are very important defense decisions that go to the heart of our national security. I look forward to working with my colleagues to ensure that we counter these threats in the most effective ways in the years ahead.

Mr. BROWNBACK. Mr. President, I am pleased to express my support for S. 257, the National Missile Defense Act of 1999. As an original cosponsor, I want to impress upon the Members of the Senate that now is the time for passage of this bill.

For over 200 years, the United States has been fortunate to enjoy a high level of security provided by, among other things, our geographic location. In the past, the Atlantic and Pacific oceans have served well in preventing a direct attack on the United States. However, as we approach the twenty-first century and new technology, we find that the proliferation of missile technology has taken this geographic sanctuary away from us.

S. 257 will establish that it is the policy of the United States to deploy as soon as is technologically possible an effective national missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

This bill focuses on one important factor for conditioning deployment: technological capability. Other important factors exist including cost, threat, and treaty commitments. These factors, while important, should not be the final determining factor in deciding on national policy to deploy a missile defense.

I am concerned about the cost of such a weapon system and will continue to carefully monitor the costs of a NMD system. However, with this bill, we are not just addressing concerns about protecting America's interests around the globe, but about protecting the American homeland itself. We are not talking about foreign lands and obscure interests, or about some distant, remote, or highly unlikely threat. We are talking about preventing ballistic missiles from shattering the communities in which we all live—we are talking about protecting our families, our cities, and our nation from potential destruction at the hands of a rogue regime anywhere around the world.

The threat of a ballistic missile attack on the United States is real. We face a growing threat from rogue na-

tions which have increased their capabilities due to increased access to missile technology; as demonstrated by the recent successful flight test demonstrations of North Korea, and the flow of technology from Russia to Iran. These countries are making investments to do one thing—intimidate their neighboring states, the U.S. and our allies.

For example, North Korea is working hard on the Taepo Dong 2 (TD-2) ballistic missile. Our national technical experts have determined this missile can reach major cities and military bases in Alaska. They further state that lightweight variations of this missile could reach 6,200 miles; placing at risk western U.S. territory in an arc extending from Phoenix, Arizona, to Madison, Wisconsin. This includes my home state of Kansas.

As if that weren't enough, North Korea poses an additionally even greater threat to the United States, because it is a major seller of ballistic missile technology to other countries of concern, such as Iran and Iraq, Syria and others.

These countries have regional ambitions and do not welcome the U.S. presence or influence in their region. Acquisition of missile weapon systems is the most effective way of challenging the United States.

Mr. President, we should not and must not wait for these weapons to be used against us, the stakes are too high. We must move forward with the development and deployment of a national missile defense to protect our shores from hostile attack.

The bill will send a clear message that we are determined to defend ourselves and will not be deterred from our national and international commitments. An effective and dependable system must be in place before such a threat can be used against us, or the results could be disastrous. We will not get a second chance.

The Department of Defense has requested funding to develop a viable missile defense system. I encourage the administration not to back away from this critical defense issue. The world has changed; we must move ahead and change the way we think about the defense of our nation.

It has been argued on this floor that the adoption of S. 257 will make reductions in nuclear weapons more difficult and would place the United States in breach of the ABM Treaty. I too am concerned about honoring our treaty commitments. However, this bill states our intent to protect our homeland. We will have ample time to continue to work with Russia on these treaty issues, and I am confident we will reach an equitable position. We must be clear, the threat goes beyond our agreements with other countries.

America has a leadership role in the world. We represent the hope for peace

and opportunity. I believe this is one of the most important defense issues facing the United States. To vote against this bill would be to ignore the number one responsibility of the Federal government—the defense of our nation.

Mr. JEFFORDS. Mr. President, the spectrum of emerging missile threats to our national security cannot be ignored. I am very concerned about the implications of the North Korean missile recently launched over Japan. Research and testing on similar missile systems likely continue in Iran, Iraq, China, and other countries. These circumstances suggest that the Senate should carefully consider our ability to appropriately counter these threats.

I am concerned, however, that the existing national missile defense (NMD) technology has not yet proven to be effective, could be very expensive to deploy and has the potential to adversely affect Anti-Ballistic Missile treaty negotiations with Russia. These concerns should serve to caution us against premature deployment of NMD systems. However, I am now satisfied that amendments to the bill address these concerns. One amendment makes funding for deployment subject to the annual appropriations process and therefore up to Congress to set the appropriate level each year. Another amendment provides that the United States will continue to seek reductions in Russian nuclear forces, and the Administration now states that it can move cautiously on deployment so as to stay within our commitments to the ABM treaty. The bill has consequently become a policy guiding deployment, rather than a decision to deploy.

I have long supported a full program of research, testing and development and resisted a premature decision to deploy. I hope that research will lead to some technological breakthroughs or ways to counter ballistic missiles. Their proliferation, especially in the hands of irresponsible leaders such as North Korea's Kim Jung II, requires that we actively investigate possible defenses, but we must not rush to build, at great cost, the first system that passes a flight test. There is still a great deal of research and development work to be done.

The fledgling NMD systems now being contemplated for deployment simply do not compare in priority to many of our other military needs, such as our need to immediately recruit, train and retain quality men and women for our military. This is why the Soldiers', Sailors', Airmen's and Marines' Bill of Rights, the military pay, education and benefits bill, was the first major legislation considered this session, and it swiftly passed the Senate with overwhelming support. Well-educated Americans in uniform comprise the foundation upon which we maintain the strong defense of this



country. While the Senate unanimously agreed on the urgency of enacting this legislation, it still has found no way to pay for it. In my mind this takes priority over deployment of expensive and unproven NMD technology.

Given the competing demands on our finite budget and the high costs to deploy a NMD system, we cannot afford to get it wrong. I hope that this vote will not be seen as endorsement of a rush to deployment, but rather a set of policy guidelines governing an eventual decision to deploy. I will do what I can to ensure this ultimate decision is not made in haste.

Mr. DODD. Mr. President, I rise to express my views on the National Missile Defense bill as it was amended yesterday. I am glad that Senator COCHRAN and Senator LEVIN were able to agree to changes in this bill. The unanimous votes on the amendments and nearly unanimous vote on final passage are tributes to Senator COCHRAN's and Senator LEVIN's resolve to seek common ground on this important issue that has long divided this body along party lines. Thankfully, instead of a partisan battle, the Senate produced a strong statement of this nation's resolve to develop and deploy a national missile defense system in the context of other budget priorities, national security concerns, and the U.S.-Russian arms control process.

The initial bill stated that the United States would deploy a national missile defense system as soon as technologically possible. I stood with the administration and this nation's military leaders in opposing that legislation because it did not consider other important factors such as cost, the specific missile threat, effectiveness of the system, and the impact on the arms control process.

The amendments that were added address some of those other issues. The first amendment explicitly requires that the national missile defense program be subject to the annual authorization and appropriations process despite the bill's requirement to deploy a system "as soon as technologically possible." The amendment stresses the fact that this nation is not committed to giving the missile defense program a blank check. In other words, notwithstanding the Senate's commitment to protect this nation against rogue state missiles, this body will balance the importance of national missile defense with other national security priorities. For example, we have an attack submarine fleet that continues to shrink as the result of a low build rate. That issue and many others need to be considered by our national defense leadership. Furthermore, the first amendment highlights the fact that this body will balance the need for a national missile defense system with the need to provide our citizens with strong and effective domestic programs.

The second amendment, sponsored by Senator LANDRIEU, was absolutely necessary for the passage of this legislation. The amendment reminds us that the United States remains wholly committed to nuclear arms control. The ABM Treaty and START Treaties are basic elements of nuclear arms control, and this bill is not meant to impinge on the effectiveness of those treaties. This nation will not ignore, but instead seek modifications to, the ABM Treaty to allow for a limited national missile defense system. Also, this nation awaits ratification of START II by the Russian Duma and looks forward to agreement on the provisions of START III.

In sum, this legislation does not alter the administration's present policy with respect to national missile defense. This nation will develop and deploy a national missile defense system, but the costs of the system, the specific rogue nation missile threat, the impact on arms control, and our technological ability to field such a system will all be carefully considered. For those reasons, I have decided to support this bill.

Mr. SESSIONS. Mr. President: I rise to make a few remarks concerning S. 257, The National Missile Defense Act.

S. 257 will establish that it is the policy of the United States to deploy as soon as it is technologically possible an effective National Missile Defense (NMD) system capable of defending the territory of the United States against limited ballistic missile attack whether accidental, unauthorized, or deliberate.

Many have asked why would we want to do this as soon as technologically feasible. The answer finally came earlier this year when the Administration finally admitted that the Threat is here and now, not some indefinite number of years down the road.

The Threat, is upon us. According to CIA Director George Tenet's testimony on February 2, page 6, "theater-range missiles with increasing range pose an immediate and growing threat to US interests, military forces, and allies—and the threat is increasing. This threat is here and now."

If we look at what the Iraqi's have or will have in the near future, why would we delay given that we are conducting an aggressive air campaign against Iraqi air defense targets daily?

If we look at the improvements the Chinese have made in their missile program at our expense, why would we delay waiting for the Chinese to prove in some scenario yet undefined that they have the capability to destroy an American city or two?

If we look at the proliferation of technology leaving Russia to rogue states because they provide the hard currency to Russian scientists that the West cannot, why then would we wait?

There are some who say that we should wait and work the ABM prob-

lem out with the Russians. They say that if we move forward with a deployment this will make the Russians angry. Mr. President, the Russians have strongly objected to any US deployment to Kosovo, yet I do not see the Administration holding back on its desire to send upwards of 4000 troops to the region. Isn't protection of the United States more important than Kosovo?

Our goal in the effort to deploy a National Missile defense System has two crucial impacts on our security:

First, it will signal to nations that aspire to possess ballistic missiles with which to coerce or attack the United States that pursuit of such capabilities is a waste of both time and resources.

Second, if some aspiring states are not deterred, a commitment to deploy an NMD system will ensure that American citizens and their property are protected from a limited attack.

The Rumsfeld Commission report stated that, "the warning times the US can expect are being reduced. Under some plausible scenarios the US might have little or no warning before operational deployment." This is a statement from a very creditable commission. It suggests that America ought to move quickly to defend itself. A NMD system deployed now is the step in the right direction. We cannot afford to debate the "what could be's or should be's any longer." This Congress must act, and act now. I doubt if the American public would forgive this Congress if a situation arises for which we are not prepared.

Lastly, I have a comment about the Chinese spying incident. I have been in two meetings with Secretary Richardson in the last two days. My feeling on this issue is:

We have now learned of improved Chinese Missile guidance system capability due to US computers—sold to the Chinese by two US firms.

Chinese spying has provided that nation with the instructions on how to fabricate compact warheads (MIRV's)

Both of these acts should never have happened.

Mr. President, America cannot tolerate continued slackness in security and we need to press forward with protecting our nation—not tomorrow, not next month, not five years from now. We need to move the NMD program forward as soon as technically feasible.

Mr. ROBB. Mr. President, I support a national missile defense. I have voted—repeatedly—to fund research and development that would make such a defense not just a theoretical hope but a reality. In the past, however, I have also opposed legislation identical to S. 257, the National Missile Defense Act of 1999 as it was introduced. I voted against it when it was reported from the Armed Services Committee. I did so, even though I unequivocally support providing our nation a real defense against missile attack, because I

believed that as introduced the bill would not advance that objective and could possibly move us in the opposite direction. While it is imperative for the United States to deploy a defense against missile attacks by North Korea and other rogue nations, it is equally imperative that we consider affordability, operational effectiveness, and treaty implications when determining how best to proceed on such a major acquisition program.

Mr. President, the Department of Defense, in testimony before the Armed Services Committee, has made it very clear that we can't accelerate the national missile defense program beyond what we're doing right now even if we spend significantly more money on it. Yet the original legislation implied that money is no object, that we should forgo our basic responsibility of getting the best defense possible for the taxpayer's dollar. I am concerned—as are many of our colleagues—about numerous, severe problems our military faces today, that can be resolved with proven technologies. Our forces are operating at OPTEMPOS unheard of even during the Cold War. Their equipment is often older than the operators, and spare parts are regularly in short supply. It is no wonder that we are facing one of the most pressing recruiting and retention challenges since the hollow force of the seventies. Passing blank check legislation is not, in my view, responsible, and not in the best interest of our military.

Fortunately, changes were made to the original legislation that addressed some of my concerns. The Cochran amendment subjects national missile defense deployment to the normal authorizing and appropriating process, allowing us to retain fiscal control over the program. This reinforces the need to ensure that any system we approve be affordable and operationally effective before deployment.

Mr. President, the bill in its original form was silent on arms controls. It is clear from hearing the comments of several Senators in support of this bill that they believe the ABM Treaty is of marginal consequence when compared to deploying a missile defense capability. The virtual certainty that the Russians will retain thousands of nuclear warheads if we undermine the ABM Treaty has been brushed aside as a minor annoyance. No matter that the existence of these thousands of additional weapons greatly increases the likelihood of the kind of accidental launch that a national missile defense would defend against. No matter that, by undermining the strategic arms control process, we prompt China and other nations—including so-called rogue regimes—to develop or expand their nuclear arsenals and create the very kind of threat that our limited missile defense is supposed to protect against.

The Landrieu amendment, by reinforcing the need for continued arms reduction efforts with the Russians, addressed this short-coming in the original legislation.

As a result of these modifications, I am now willing to support this bill. I caution, however, that this legislation really accomplishes nothing that will have a meaningful, positive impact on the pace and quality of our missile defense development efforts. While it is appealing to declare a policy, such a declaration doesn't move us closer to the goal, and may in fact cause the American people to gain a false sense of security. We should acknowledge the risk that we could be giving the American people the false impression that by passing this legislation we are somehow approving deployment of a protective shield to safeguard them from nuclear missile attack. At best we'll get a very limited defensive capability. At worst, we will have spent tens of billions on top of the \$40 to \$80 billion already spent on missile defense since 1983, our troops will continue to struggle with a high OPTEMPO and inadequate equipment due to inadequate funding, the Russians will not honor START II limits—even after ratification of the treaty, and we will have a system that is not operationally effective.

Regardless of the outcome of the vote on this legislation, we will continue to develop a missile defense to protect our nation. The issue surrounding missile defense is not that we don't want such a system—the problem is we don't yet know how to build one we can afford. I remind my colleagues of the Pentagon's dramatic claims of success by our Patriot missile batteries during the Gulf War. It was only after the war that we learned that there were very few if any effective intercepts of the Iraqi Scuds. The technology wasn't here then and it has a long way to go today—especially when it comes to ICBMs.

And we should not let our focus on providing such a defense divert our attention away from the other crucial element in protecting America from missile attack: reducing the number of missiles aimed at our nation. A number of colleagues shared my concern about the effect of this legislation on our efforts to reduce the Russian arsenal through the START II process.

Mr. President, I will support this legislation because we have addressed the largest potential down-sides and because I support the objective of providing our nation with an effective missile defense, but we still have a long way to go before we actually solve the challenges we face and we ought to be up front with the American people in describing where we are in this process.

Mr. KOHL. Mr. President, none of us who sit here in the Senate today is unaware of the potential dangers that

face this country from rogue nations with ballistic missiles carrying weapons of mass destruction. There are many nations around the world that are eagerly pursuing weapons that can reach the United States and deliver devastating damage. I, like many of my colleagues, was stunned when I heard the news that North Korea had launched a three stage rocket with technology that many in the intelligence community had said the North Koreans would not possess for many years. All this evidence leads me to agree with Secretary Cohen when he says that the threat to the United States is "real and growing." Because of the danger we face, and our solemn vow to protect this nation, I will vote to support Senator COCHRAN's bill, S. 257, to deploy a missile defense as soon as technologically possible.

With threats looming on the horizon it would be irresponsible not to pursue the development and deployment of a national missile defense. The Administration has responded to the threat by expanding the program. The President has increased funding by \$6 billion over five years. They will make a decision next year whether an effective national missile defense can be deployed by 2005. Negotiations with the Russians have already begun in an effort to reach agreement on amendments to the Anti-Ballistic Missile Treaty. The President has now reversed his previous opposition to this bill by withdrawing his veto threat. The United States is moving forward on missile defense, and this legislation will add momentum.

However, I do have reservations about this bill. A national missile defense system is not a sure thing. Currently there is no technology capable of destroying an ICBM, and we don't know when the technology will be developed. But we do know that developing this technology will be costly. To date we have spent almost sixty-seven billion dollars on developing missile defenses since the early 1980's without anything to show for it. I am concerned that by making a decision to build a system as soon as technologically possible the Congress may commit itself to an expensive project that the General Accounting Office has deemed "high risk." The Pentagon is infamous for underestimating the cost of weapons systems. Right now the Administration plans on spending ten billion dollars over six years on NMD, but I expect that as the project moves forward the cost will rise. We must be careful not to let our commitment to missile defense blind us from our duty to oversee this program and guard against waste and profligate spending so common in the Department of Defense.

While I am very concerned about the costs of the program and the impact on our relations with Russia, I believe we should build a national missile defense

to protect our nation in this dangerous and uncertain time. The United States should move swiftly, but with prudence, to safeguard our citizens from the threats of rogue nations and the fear of accidental launches.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, was there a unanimous consent agreement that the Senator from Mississippi wanted to propound?

Mr. COCHRAN. Mr. President, if the Senator will yield, we were trying to nail down a time for a vote on final passage at 2. Why don't you go ahead and use whatever time you want to use.

Mr. WELLSTONE. I thank my colleague.

Mr. President, I rise to speak today on the floor of the U.S. Senate to express my opposition to this resolution that is before us.

I may be standing alone on this vote. I hope not. I appreciate the efforts of my colleague from Louisiana to offer an amendment that would ensure that this bill states, or this resolution, because that is really what it is, that it is still the policy of the United States to pursue arms reduction negotiations. I think that was an important statement. I do not honestly and truthfully believe that that amendment is enough. It does not directly tie a decision to deploy a national missile defense directly to its impact on arms reduction agreements. That is what I am worried about.

I think my good friend, the Senator from Michigan, had it right in his substitute amendment—before a decision to deploy, the administration and the Congress should review the impact of that decision on nuclear arms reductions and on arms control agreements.

I think this is right. The decision to deploy—and that is what this resolution instructs us to do—should be made carefully, at the right time, after we are sure of its impact on important arms control and arms reduction decisions. I know my colleague from Michigan, who I think is one of the truly great Senators, has concluded that the Landrieu language is sufficient, but I have to respectfully disagree.

This resolution talks about deploying missile defense. I have supported in the past efforts to develop such a system to at least do research, but I have never voted for a resolution that says we go forward with deployment.

I would not oppose, again, the research and the focus on the possibility of needing a missile defense system if this was done hand in hand with an emphasis on the importance of arms reduction agreements. But I do not believe that this resolution before us is at all evenhanded in this respect.

Our colleague from Mississippi, a colleague for whom I also have a great

deal of respect, Senator COCHRAN, was quoted in the Washington Times today saying that the Landrieu amendment was an important step—and he meant this in very good faith; he means everything in good faith—of an important national security goal. But the inclusion of the national missile defense policy and arms reduction policy in the same bill “does not imply that one is contingent on the other.”

I think they should be, and that is why I do not think the language is sufficient. That is why I will vote against this bill.

Actually, I do not know whether to call it a bill or a resolution. There is no money. It is just a statement. We say this will be the policy. It is a declaration by the Senate.

We ought to be focusing on the reduction of existing missiles. We ought to be focusing on nonproliferation efforts to stop the spread of existing technology of weapons of mass destruction. We should not be saying that it is the policy of the United States to spend billions of dollars on unproven systems to defend ourselves against phantom missiles from hypothetical rogue states.

We have spent already \$120 billion on this antimissile defense system. I heard my colleague from Arizona, who is a colleague for whom I have tremendous respect, talking about some of the ways in which he thinks the administration has been a bit disingenuous about how we can balance the budget and spend money here or do this, that, and the other. I understand what my colleague was saying. In all due respect, I have to raise questions about this.

First of all, I have to say that I believe that this vote today is a profound mistake. I think the vote today, if it is an overwhelmingly strong vote for this resolution, jeopardizes years of work toward achieving nuclear arms control and arms reduction, and that will not increase our security. That will not increase the security of my children or my grandchildren.

I am very concerned about our national defense. I am very concerned about our security. I am very concerned about the security of my children and my grandchildren. I believe the best single thing we can do to assure that security is to maintain a commitment to arms control agreements.

Some of my colleagues do not agree with what we did with the ABM Treaty. They are not so focused on where we need to go with the START agreements. I argue that these arms control agreements and everything and anything we can do to stop the proliferation of these weapons and to engage the former Soviet Union—Russia today—in arms control agreements, reducing the nuclear arsenals, less missiles, less warheads, less of a possi-

bility of a launching of these weapons is what is most in our national security. I do not believe that this resolution takes us in that direction at all.

There is a distinction between talking about the development of a missile defense system and actually the language in this resolution which talks about deploying. There is a distinction between saying we only go forward, but before a decision to deploy, the administration and the Congress should review the impact of this decision on nuclear arms reductions and arms control agreements.

There is a distinction between such language, and I believe what the amendment that my colleague from Louisiana offered yesterday, which says that it is our policy to pursue arms reduction negotiations—oh, how I would like to see a connection. Oh, how I want to see a nexus. You cannot imagine how much I want to vote for a resolution like this, which is going to have such overwhelming support, and I would if I did not believe that what is only a resolution will be used next year when we come to authorization and appropriations to say that there was unanimous—no, there won't be unanimous support; there will be at least one vote against it—near unanimous support to go forward with missile defense. And then the request will come in for the money.

What will the cost be? This resolution, or this piece of legislation, should be called the “Blank Check Act,” because that is what we are doing. We are authorizing a blank check for tens of billions, maybe hundreds of billions of dollars for all I know, for a missile defense system in the future. At what cost?

Mr. President, \$120 billion already, tens of billions of dollars a year, I don't know how long in the future, is going to go for a missile defense system, and this vote is going to be used as the rationale for doing so. Maybe not with this administration, because I think the administration has made it clear it is committed to an arms control agreement. But what about the next administration? I hope it will be a Democratic administration, but I do not know and I do not want to vote for a blank check for tens of billions of dollars for such a system which I think puts into jeopardy arms control negotiations and arms control reductions.

Mr. President, for a senior citizen in the State of Minnesota who cannot afford to pay for a drug that has been prescribed by her doctor—this is a huge problem for elderly people in our country, many of whom are paying up to 30 percent of their annual monthly budget just for prescription drugs—for that senior citizen to not be able to afford a prescription drug that her doctor prescribes for her health is a lot bigger threat to her than that some missile is going to hit her in the near future or in the distant future.

Yet, we are being told that we cannot afford to make sure we have prescription drug costs for elderly citizens in this country. But now what we are going to do, I fear, is adopt a resolution that will be used later on as a rationalization and justification for spending tens of billions of dollars on top of \$120 billion for unproven systems to defend us against phantom missiles from hypothetical rogue states.

Our focus should be on the arsenal of nuclear weapons that Russia has now and how we can have arms control agreements with Russia. We ought not to be putting ABM and START in jeopardy. We ought not to be putting arms control in jeopardy. We ought not to be putting our efforts at stopping the proliferation of weapons of mass destruction in jeopardy, and I believe that is what this resolution does. That is my honestly held view. The administration has apparently changed its position. I wish they had not.

My colleague from Michigan, Senator LEVIN, has a different interpretation. I think he believes that this resolution puts the emphasis that needs to be there on arms control reductions. I hope and pray he is right. I think he believes this resolution has language, through the annual review process in appropriations bills, that makes it clear that this has to be technologically feasible to go forward. I hope he is right. But, quite frankly, I do not think that is really what this resolution says.

I am not going to err on the side of voting for a resolution that now gives credibility to spending tens of billions of dollars, over the years to come, on a questionable missile defense system that puts arms control agreements in jeopardy and does not speak to the very real national security that we have in our own country.

I would like to finish this way, Mr. President. Since I heard some of my colleagues on the other side talk about the President's budget, I would like to ask my colleagues, What exactly do you propose to do with your budget caps, your tax cuts, and wanting to increase the Pentagon budget \$140 billion over the next 6 years?

And that goes for far more than just increasing the salaries of our men and women in the armed services, who should have their salaries increased; and that is much more far-reaching than just dealing with quality-of-life issues for men and women in the armed services, who deserve all our support in that respect. Now we are talking about laying the groundwork, on top of \$120 billion that has already been spent, for tens of billions of dollars. This could end up being \$40 billion-plus just for this missile defense system.

So my question is, After we do this, what do you say to senior citizens in your State who say, "Can't you make sure that we can afford prescription

drug costs?" I know what you are going to say. "We can't afford it." What are you going to say to people who say, "Can't you invest more in our children in education?" We are going to say, "We can't afford it."

What do you say to people in the disabilities community who were in my office yesterday, saying, "Can't you invest in home-based health care so that we can live at home in as near as normal circumstances as possible with dignity?" We are going to say, "We can't afford it." What are we going to say to people who say, "We can't afford affordable housing?" We are going to say, "We can't afford it."

I will tell you something; the real national security of our country is not to vote for this resolution that could very well put arms control agreements in jeopardy. And I am not willing to err on that side. If we do that, it will be a tragic mistake. It will be a tragic mistake for all of our children.

The real national security for our country is to not spend billions of dollars on unproven systems to defend us against phantom missiles from hypothetical rogue states. The real national security for our country will be the security of local communities, where there is affordable child care, there is affordable health care, there is affordable housing, people find jobs at decent wages, and we make a commitment to education second to none so that every boy and every girl can grow up dreaming to be President of the United States of America. That is the real national security of our country.

Mr. President, I think this resolution is a profound mistake. And if I am the only vote against it, so be it, but I will not vote for the resolution.

I yield the floor.

Mr. President, my colleague, Senator STEVENS, had made the request he be able to speak right after I finished. I do not see him right now, but could I ask unanimous consent that he be allowed to speak next? I know he was anxious to do so. He should be here in a moment.

Mr. COCHRAN. Mr. President, if the Senator would yield, I think Senator STEVENS is planning to speak. I was going to suggest the absence of a quorum. Here is our colleague from Michigan. He may want to use some time on the bill.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I support the passage of this bill with the two amendments we have adopted. We have made a number of very important changes in the bill which now cause me to support the bill because, very specifically, we now have two policies that are set forth in the bill, no longer just one.

The first amendment that we have adopted, which was an amendment saying that the funding for national mis-

sile defense is subject to the annual authorization and appropriation of funds for this system, makes it clear explicitly, specifically, that this bill does not authorize anything. This is not an authorization of anything. It is not an appropriation of funds.

Perhaps somebody could argue before that amendment was adopted that this bill did authorize or did commit us to appropriate funds. But after the adoption of that first amendment yesterday, it cannot be argued that this authorizes anything or appropriates funds for any system.

This bill now states two policies of the United States. That is very different from a bill which commits us to authorize funds or to appropriate funds for a particular system.

So the first amendment made an important difference. It is an amendment which the Senator from Mississippi offered with a number of cosponsors on both sides of the aisle. It seems to me it made it very clear that we are not committing to deploy a national missile defense system in this bill. We are stating now two policies in this bill. The first amendment I referred to makes it clear that the authorization to deploy a national missile defense system would come only if and when we act on funding to deploy such a system through the normal authorization and appropriation process. We are not doing that in this bill.

One of the things this bill says is, before a deployment decision is made, there must be an effective system. That word "effective" clearly means, in the view of the military—and I think reasonably—an operationally effective system. That is one of the clear meanings of the word "effective" in this bill. And there was a colloquy earlier today between the Senators from Mississippi and New Mexico relating to that issue. An effective national missile defense system means, among other elements of "effectiveness," an operationally effective system.

The second amendment that has made a major change and a major improvement in this bill is the Landrieu amendment. Until Senator LANDRIEU's amendment was adopted, this bill ignored the crucial importance to our national security of continuing reductions in Russian nuclear weapons. Without the Landrieu amendment, this bill would have put nuclear reductions at risk—reductions that have been negotiated before and are now being implemented, reductions that have been negotiated before and are hopefully about to be ratified in the Duma.

Without the Landrieu amendment, this bill ignored those reductions. It would have put such reductions at risk and increased the threat of proliferation of weapons of mass destruction. That greater threat would have resulted from the larger number of nuclear weapons being on Russian soil,

with the greater likelihood, in turn, that there would be leakage of such weapons to a terrorist state or a terrorist group.

The Landrieu amendment adds a second policy to this bill. It is a most crucial policy statement, that it is our policy to seek continued negotiated reductions in Russian nuclear forces. This critically important change in the bill states that we understand the value of continuing the nuclear arms reductions which have been negotiated before and that, hopefully, will continue to be negotiated in START III, and that those reductions improve our security by reducing the numbers of nuclear weapons on Russian soil.

Mr. President, without those two amendments, I would not have supported this bill. As I stated in my opening statement, it is critically important, in my opinion, that we continue to see reductions in nuclear weapons in this world, and most specifically, reductions in nuclear weapons in Russia.

I think many of our colleagues, if not all of us, see the importance of those reductions. Now we have a specific policy statement equal to the policy statement relative to deploying an effective limited national missile defense subject to authorization and appropriations. The second policy statement which is critically important says that it is the policy of the United States to continue to negotiate reductions in the number of nuclear weapons on Russian soil.

Because of these amendments, the President's senior national security advisers will now recommend that the President not veto the bill if it comes to him in this form. That is an important measure of the significance of these changes in this bill. The White House has not changed its position on national missile defense anymore than I have.

The bill has been changed in two significant ways. I think the bill has been vastly improved. It has been improved because of the efforts of many people. I want to thank the Senator from Mississippi, the author of this bill, for his cooperation in including both the Cochran amendment and the Landrieu amendment. And I particularly want to commend and thank the Senator from Louisiana, Senator LANDRIEU, who is now the ranking member on the Strategic Forces Subcommittee of the Armed Services Committee, for her hard work and her dedication in bringing about the adoption of an amendment which made such an important difference in this bill.

I yield the floor.

Mr. STEVENS addressed the Chair.

THE PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Alaska.

Mr. STEVENS. Mr. President, I am here today to join two of my closest friends, Senators COCHRAN and INOUE, to support this bill that is before the

Senate. I believe that Senator COCHRAN and Senator INOUE have championed this measure for some time now in the face of very strong opposition. I am pleased to see that opposition is now fading away.

I cannot fathom anyone being opposed to deploying the defenses that are necessary to protect this Nation. Recent events clearly warn that our Nation must prepare for the worst possible scenario. We have watched reports that India and Pakistan have detonated nuclear devices. Each of these countries have very solid, demonstrated capabilities in building ballistic missiles. Our U.S. intelligence community admitted surprise after those demonstrations.

Unrest in Indonesia and turmoil in other Pacific nation economies demand the attention of the United States and the world. Those nations increasingly look to develop or acquire a range of ballistic missiles. The threat that troubles me the most is North Korea. North Korea's missiles can already reach parts of Alaska and Hawaii, and perhaps beyond.

When I visited North Korea 2 years ago, I was struck by the contrast there. Their people live a life of sacrifice, but many of their limited resources are diverted to military investments. The United States should not underestimate the determination of the North Koreans nor the risks the threats pose to the United States and our Pacific allies.

Now, new reports indicate that North Korea may launch another rocket, possibly a satellite or possibly a longer-range ballistic missile. The world's ability to monitor North Korea now is limited. We all know that. Certainly almost no one in the intelligence community anticipated the recent launch of the multistage booster that we saw.

Just as in World War II, the first to be threatened in the Pacific will be the States of Hawaii and Alaska. My constituents, the residents of Alaska, ask me, Why should it not be the policy of the United States to deploy a national missile defense system as soon as it is technically feasible? I can state categorically that after my recent trip home I know Alaskans want these defenses now.

Indeed, the Alaska Legislature has already passed a joint resolution calling on the President of the United States to deploy a national missile defense system. I know, as more Americans recognize that this threat is here today—and I believe the whole country will wonder what is wrong with us; I believe they are going to even wonder why we have to have this debate this long on this issue.

I am confident that Members of the Senate should be familiar with the congressionally established commission of evaluating the ballistic missile threat to the United States, known as the

Rumsfeld Commission, which completed a thorough review of the missile technologies existing in other countries. More importantly, that Commission recognizes the fact that missile technologies are increasingly available to any nation with money and determination to use them.

Protecting our Nation requires building a national missile defense system that will protect every square inch of every State, including Alaska and Hawaii, and the 48 contiguous States. When this issue first came before the Defense Appropriations Subcommittee, the administration projected a system that would defend almost all of the 48 States but did not include Alaska and Hawaii and the tips of Maine and Florida. At that time, I expressed concern about that. I am pleased to see we all are now considering a truly national missile defense system.

In recent weeks, I was fully briefed on the Defense Department's efforts to develop a national missile defense, a defense which would provide our Nation's only capability against these missiles. I have been reassured of the commitment to protect all 50 States by Lieutenant General Lyles, the Director of the Ballistic Missile Organization. I can also tell the Senate that some of the best engineers in this Nation are working on the current national missile defense program under the direction of Brigadier General Nance, a very capable officer and knowledgeable program manager.

I believe this team, and any of the ballistic missile defense organization program managers, would tell the Senate that building this defense system is technically feasible today. That is good news. We have it within our reach and our means to build a missile defense system to protect our entire Nation from ballistic missiles.

Last year, we added \$1 billion as emergency funds for the development of the missile defenses to protect the United States as well as its deployed forces. This Cochran-Inouye bill makes clear that these funds are available only for enhanced testing, accelerated development, construction, integration, and infrastructure efforts in support of ballistic missile defense systems.

The taxpayers' money being made available on an emergency basis was put up for the purpose of encouraging the availability of this system and to reward success in the efforts. I believe we have to have the ability to defeat the threat that is posed by ballistic missiles as soon as possible. Many Senators will recall the criticisms made last year of our ballistic missile defense programs—too little testing, schedules that didn't ask for the dollars available, and many other concerns expressed.

I am pleased to report to the Senate that the \$1 billion emergency increase

has become a catalyst for the national missile defense program—allowing this program to add testing, fully fund development, and to rebut the critics who say it is not possible for such a system to be deployed.

The administration has stated that it will match these funds and budget the necessary additional funds to develop and deploy a national missile defense system. I am still concerned that the funds budgeted by the administration, however, will allow a missile defense system to be deployed about 2005.

On March 14, 1995, Defense Secretary Perry testified before our Defense Appropriations Subcommittee that:

On the national missile defense system, that system would be ready for deployment in 3 years on the basis of this program projection, and then 3 years later than that it would be operational.

He said it would be operational in 3 years.

So we are about 6 years away from deployment of national missile defense systems.

That was 1995. In responding to my question during a hearing in June of 1995, Lt. Gen. Malcolm O'Neill noted Secretary Perry's promise and went on to add:

I think the timeframe (Secretary Perry) talked about was 3 years of development and then 3 years to deploy. So that would mean a 2001 scenario, and that would get a system in position before the Taepo Dong 2.

Mr. President, that is the Korean missile that we are all so worried about now. The Taepo Dong 2 is ready now but we are still developing a system. The national missile defense system that should be in place by 2001 will not be there in 2001, and we were promised an operational national missile defense system as early as 2001. As one who has watched this system now develop over a period of years, I have been frustrated that it has slipped now, apparently, to 2005. The track record is one of continual delays and slips as far as the deployment date is concerned.

I believe that this Nation must get ahead of the threats. The risks are too great.

Again, I basically come here to commend these two Senators for their very hard work on this bill.

Senator COCHRAN and Senator INOUE deserve the entire support of the Senate. I am pleased that these matters which had previously looked like they might delay this bill might be resolved. I congratulate the managers of this bill and its author for their wisdom and determination. I hope the Senate will proceed rapidly to approve it.

Mr. MURKOWSKI. Mr. President, I rise in strong support of S. 257, the National Missile Defense Act of 1999. This is an extremely important initiative, which really goes to the heart of our national security policy. The bill simply declares that it is the policy of the United States to deploy, as soon as technologically possible, a national

missile defense system which is capable of protecting the entire territory of the United States from a limited ballistic missile attack.

Why is this important? For one, because most Americans mistakenly believe that we already have a system in place which can intercept and shoot down incoming missiles. We do not. While we can, in some instances, tell in advance if an adversary is likely to launch a ballistic missile strike at the United States, our ability to thwart the attack is limited to diplomatic efforts or, alternatively, to a quick strike military capability of our own.

In the case of an unauthorized or accidental missile strike, we have no deterrent capability. Imagine the horror, Mr. President, of knowing a missile strike against an American city was underway and there was nothing we could do to stop it.

This is the same bill that Senate Democrats filibustered twice during the 105th Congress. So, why the change of heart? I think that the main reason is that they can no longer sustain the argument that we do not face a threat credible enough to justify deployment of a national missile defense system. They now acknowledge that we face a number of real threats from many different parts of the globe. Most of these threats are the byproduct of 6 years of flawed administration foreign policy initiatives which have actually increased, not decreased, the likelihood of the post-cold-war threat.

What are the threats that we currently face? China comes to mind. While I for one do not consider China an adversary, I am particularly concerned by the wide range of espionage allegations connected to China. First, our military experts believe that China's missile guidance capabilities were enhanced significantly by the Loral/Hughes incidents. And more recently, there are chilling allegations that China has stolen some of our most closely held secrets on miniaturizing warhead technology, thereby exponentially increasing the threat that China poses to the United States and many of our key allies in the Asia/Pacific theater.

Last summer, it was widely reported that 13 of China's 18 long-range strategic missiles are armed with nuclear warheads and targeted at American cities. What's more Chinese officials have suggested that we would never support Taiwan in a crisis "because the United States cares more about Los Angeles than it does Taipei." If this type of declaration, on its own, is not justification for deploying a national missile defense system, Mr. President, than nothing is.

Let's examine the case of North Korea. This is a country which continues to defy rational behavior, and which seems to be encouraged by this administration's bankrupt North Korea

policy. Just yesterday, Secretary Albright announced that the United States would pay North Korea hundreds of millions in food aid to gain access to an underground facility north of Pyongyang which we believe is connected to their nuclear regime. Plain and simple bribery at its best.

Last year, North Korea fired a multi-stage missile over Japan. No warning and unprovoked. Why? Presumably to show that they have the capability.

Iran and Iraq speak for themselves. Additional concerns are the inability of the former Soviet Republics to keep good track of the ICBM's which they inherited from the breakup of the Soviet Union. Be it accidental or deliberate, if these weapons fall into the wrong hands, we will have new foreign policy concerns the likes of which none of us have ever seen or will care to address.

We are vulnerable, Mr. President, and we need to act to prevent a catastrophe of horrific proportions. The best way to do this is to do what should have been done long ago—deploy a national missile defense system.

There are a number of ballistic missile defense programs at various stages of development. Ideally, the United States would pursue a dual track system, namely a sea-based system which could be deployed to various theaters as the need arises. The aim here being to protect our troops and allies which may be at the front line of a confrontation. And a ground based system based in Alaska, which is the only place in all the United States from which true, 100 percent protection of all the United States and her territories can be achieved.

By basing a system in Alaska, we will have the added advantage of being close to both the Asian and European theaters. Our aim should be not only to intercept a launched missile, but in being able to intercept it in the still early stages—preferably while it is still over the territory of the aggressor country.

As many of my colleagues are aware, we have 80,000 American troops in the Asia/Pacific theater alone. Many of these troops are already well within the range of current North Korean missile capability. As their missile development program advances, we can expect American lives and American soil to be exponentially at risk. We simply cannot stand idly by and wait. We need to be prepared, so that we can protect the American people from such a strike, be it deliberate, unauthorized or accidental.

Finally, Mr. President, there are those who argue that S. 257 should be rejected because it sends the wrong signal to Russia and raises flags about the future of the ABM Treaty. Let me say unequivocally that this is not about Russia, and the Russians know it! The ABM Treaty was a product of a different era, an age when the United



States and the Soviet Union were alone in their ability to launch intercontinental ballistic missiles. This age passed quickly with the breakup of the Soviet Union, and a much more unsettling world has been left in her place. Today, there are many, many threats and ignoring them will not make them go away.

This is not about Russia. This is about the United States and our constitutional and moral duty to protect the people whom we have been elected to represent. Mr. President, I strongly support this measure and commend Senators COCHRAN and INOUE for their untiring efforts to see that this bill becomes law.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I rise in opposition to the bill. Could the Chair inform me of the time limitations, if any on, debate?

The PRESIDING OFFICER. There are no time limits on debate.

Mr. DURBIN. Mr. President, I can recall this concept when it was first suggested by President Reagan. It was a concept that was alluring. The notion that we could somehow put a protective umbrella of defense over the United States against nuclear missiles would certainly be an effort that would allay the fears of many that a missile might be launched from some nation like Russia. This idea of a strategic defense initiative, Star Wars, or whatever you might characterize it as, has always had a certain appeal to me and I am sure to anyone who hears it. I have been skeptical from the start as to whether or not this was feasible. Now I think there are more fundamental policies that should be addressed.

First, let us take a look at the history of the early part of the century.

After World War I, the French—determined never to let the Germans invade their country again—set up a series of “impregnable” fortifications along their border from Switzerland to Belgium called the Maginot Line. When Hitler decided to invade France he passed north of the Maginot Line via Belgium, swept behind the line, and captured it from behind. France was totally defeated in 6 weeks.

The national missile defense plan is our Maginot Line. It would give us a false sense of security and be completely ineffective in countering threats that simply go around it—like the terrorist with chemical, biological or nuclear weapons in his suitcase. It could be totally overwhelmed by intercontinental ballistic missiles (ICBMs) held by Russia, and its existence would encourage nuclear countries to defeat it with devastating force. The star wars Strategic Defense Initiative in the 1980's faced these same problems. The current plan is “star wars lite,” a shrunken relic of the cold war.

#### THE ROGUE STATES

No one is underestimating the capacity for so-called rogue nations to act in ways that seem irrational to us. However, in deciding that we must spend billions of dollars to build a missile defense system to protect ourselves against these third-rate powers, we are making one of two assumptions. Either we are tacitly admitting that we would not respond to an attack by one of them against us with overwhelming force—whether nuclear or conventional—or else we are assuming that these leaders are so crazy that they would risk the destruction of their nations and the loss of their own power or lives for one shot at the United States.

The leaders of the rogue nations, like Iraq and North Korea, may be isolated and seem irrational to us, but survival, not suicide, has been their overarching goal. It is much more likely that terrorists would do these nations' dirty work for them in a way that is difficult to link to a particular nation, to avoid a retaliatory strike. National missile defense would not help against terrorist attacks, which are far more likely to be delivered by truck than by missile.

The danger of missile attacks from rogue nations is much more acute against our military forces in the Persian Gulf and Asia than against U.S. cities.

During the gulf war we made it quite clear that if Saddam Hussein used his weapons of mass destruction against our forces, he would suffer an overwhelming response. He did not use those weapons. We have made it clear to the whole world that we will respond to any use of weapons of mass destruction against us, while leaving the type of weapon, nuclear or convention, ambiguous.

Our massive arsenal should be as capable of deterring a rogue nation as it was to deter the Soviet Union for 50 years. Are thousands of weapons now ineffective against one or two or three or four or five missiles in North Korea or some other country?

Nonetheless, the enormous cost in lives of even one missile strike against one U.S. city, no matter how unlikely, could lead us to decide to deploy a national missile defense system at some point in the future—if that would mean that our country would be more secure. That is why Congress has consistently supported research into missile defense technology for theater and national applications. We should continue to research with deliberate speed and reasonable funding, but we must not make the decision to deploy prematurely. We must not make the leap which this resolution would lead us to.

#### ARMS CONTROL IMPLICATIONS

Deciding to deploy a missile defense system without getting Russian agreement to changes in the Anti-Ballistic Missile (ABM) Treaty not only would

in effect abrogate that treaty, it would also be the end of the Strategic Arms Reduction Talks (START) process that is the basis for the strategic stability between the United States and Russia. Strategic stability means that neither side is willing to engage in a first strike against the other.

If a missile defense system is deployed without regard to its effect on strategic stability with Russia, our own security will be imperiled. The United States and Russia still have thousands of nuclear warheads poised to launch at each other with just a few minutes between targeting and launch. If arms control breaks down because of our deployment of a missile defense system, we would be encouraging nuclear countries to use multi-warhead ICBMs to defeat it. It would seem a fairly irrational decision on our part to trade away a strategic balance that has kept the peace for 50 years in order to protect us against a hypothetical threat. The threat of 6,000 Russian and some 400 Chinese missiles is not hypothetical.

We are at peace with Russia and the cold war is over. A first strike seems quite unlikely at this time. The danger today is from an unauthorized launch from Russia, or, because parts of Russia's early warning system do not work, that Russian leaders could falsely think the United States had started a first strike and would launch a retaliatory strike. A national missile defense system could not stop those missiles.

Since Russia is having difficulty maintaining its nuclear arsenal now, it is in our vital national interest to see reductions in the number of missiles on both sides—rather than pursuing a policy that would put the START process on ice and could lead to redeploying multiple warheads instead.

Our broader nuclear nonproliferation goals could also be undermined by the demise of arms control. The grand bargain forged when the Nuclear Nonproliferation Treaty (NPT) was negotiated was that the nuclear countries would work toward nuclear disarmament, in return for the non-nuclear countries foregoing them.

If we take a unilateral action that undermines the START process, there will be no grand bargain, and we will have no argument against any country, including the rogue states, acquiring nuclear weapons.

The Maginot Line of national missile defense will not only encourage countries to go around it, or to overwhelm it, it could also become the Trojan Horse that lets our enemies into the nuclear club.

#### COSTS

While we must make this decision on its merits, we cannot ignore the costs of making it. We have spent over \$40 billion on national missile defense since 1983 with virtually nothing to

show for it. That figure does not include the \$52 billion spent before 1983 on various missile defense systems, like the Nike and Safeguard systems of the 1960's and 1970's. Estimates vary greatly on how much a limited missile defense system would cost, and these estimates depend greatly on what system would be chosen. I think it is safe to say that no one really knows yet how much a system would cost.

I listened to the debate earlier today from some of my colleagues. One of them raised the specter of vulnerability of nations on the west coast as well as Hawaii in terms of attack from new members of the missile nuclear club. One of the people speaking said if we know that threat is out there, and we know the damage that could take place, isn't it a given that we would spend any amount of money to protect our coast? Isn't that a responsibility? That is an interesting argument, and it certainly is one that would suggest that we would spend any amount of money on this national missile defense system, that there are no limits to spending.

In fact, as I read it, the only limitation in this bill is that it has to be somehow technologically possible to have a national missile defense system. I would like to suggest that it is interesting that this would be the standard which we would use to determine defense spending.

I wonder if I introduced a resolution into the Senate which asks if it would be the policy of the United States to spend as much money as necessary if we found that it was technologically possible to cure cancer, how many votes we would get on the floor of the U.S. Senate. We have made more progress in the war against cancer than we have on any national missile defense system. Yet, when it comes to that kind of courage with respect to virtually every American family, that is not considered really food for thought or even an issue for debate. The same question could be asked when it comes to education. If it is technologically possible to educate children in America better, should we make it our policy to spend whatever is necessary to achieve that? I doubt that I could muster a majority vote in the Senate for that suggestion. Or the elimination of drugs in America, if it is technologically possible to end the scourge of drugs in our country, should we spend whatever is necessary?

I have given you three examples which come to mind, and many more could be produced. But it is interesting to me that when it comes to defense spending we apply standards which are totally different than the priorities which many Americans would identify as important to us and important to all families.

In May 1996 the Congressional Budget Office estimated that it would cost \$31-

60 billion through 2010 to acquire a system outlined in the Defend America Act of 1996, plus an additional \$2-4 billion per year to operate and maintain it. The National Security Council estimated that a two-site, ground-based system would cost \$23 billion to deploy. The General Accounting Office reported that the Ballistic Missile Defense Office estimated that limited deployments in North Dakota and Alaska would cost between \$18-28 billion. The Congressional Budget Office estimated that it would cost \$60 billion to build a "high end system," including space-based lasers. Given the history of defense cost over-runs, it is quite likely that these figures are the floor, not the ceiling of what these costs may be.

No matter how many amendments are adopted—and some I have supported, and some are very good—the bottom line is the U.S. Senate with this vote is virtually giving a blank check to this project. There are no limitations on cost. As long as it meets the threshold requirement of being technologically possible, it can go forward.

We must not forget that, if we push ahead with deploying a national missile defense system without seeking Russian agreement with changes to the Anti-Ballistic Missile Treaty, the nuclear arms reduction process will be moribund.

Let me salute my colleagues in the House.

Senator LANDRIEU offered an important amendment that at least reiterates America's commitment to negotiating some type of disarmament. I support it. Virtually every Member did. I think that is a positive step. But to simply adopt that amendment and ignore the bill that is before us, I think, is folly. We have to be consistent. We have built into this bill an inconsistency. On the one hand, we are going to move forward with the national missile defense system, even if it violates existing treaties, and then an amendment which says we are going to continue to negotiate these START treaties. I don't know what the negotiating partner would believe, if they read this bill after this debate.

That means we would also be bearing the costs of maintaining our current level of 6,000 nuclear weapons, instead of being able to reduce to START II levels of 3,500 warheads, or START III levels of 2,500 warheads, or even 1,000 warheads. We now spend about \$22 billion on maintaining and supporting our current nuclear force levels, including \$8 billion per year maintaining nuclear warheads.

Would it not be in the best interests of the United States of America and its future to continue the arms control negotiations to reduce the nuclear warheads not only in the United States but around the world? I think that is the best course of action. I am afraid this bill is inconsistent with that strategy.

In March 1998, the Congressional Budget Office estimated that reducing warheads to START II levels by the end of 2007 would save \$700 million per year through 2008 and about \$800 million a year in the long run (in constant dollars). Making these reductions by 2003 would yield an additional \$700 million through 2008.

Reducing warheads to START III levels would save \$1.5 billion per year in the long run, provided weapons platforms are also retired. If warheads were reduced to 1,000, savings would increase to \$2 billion per year in the long run. Talk about a peace dividend. This \$2 billion per year savings—25 percent of the current costs of maintaining nuclear warheads—does not include huge savings that would result if nuclear platforms, such as submarines, were retired to reflect the reduced number of warheads.

Thus, in considering the costs of deciding to deploy a national missile defense system, we must add not only the \$35-60 billion or more that it would cost to deploy it, but also the opportunity cost of billions of dollars every year of foregone savings from not being able to reduce our nuclear arsenal.

If Russia reverts to deploying multiple warhead missiles in response to our decision to deploy a national missile defense system, we may then feel that we must do the same—potentially creating a new arms race. The cost fighting the proliferation of nuclear weapons that could occur if the Nuclear Nonproliferation Treaty is undermined is incalculable.

Deciding today that it is our policy to deploy a national missile defense system is an expensive and bad idea that will lower, not improve our national security.

I yield the remainder of my time.

Ms. SNOWE. Mr. President, I rise in strong support of S. 257, the National Missile Defense Act of 1999. I am also honored to serve as an original cosponsor of this bill since it makes a straightforward but vital statement of policy regarding the core mission of the Defense Department to protect the United States from an accidental or deliberate ballistic missile attack.

Our bill this year, introduced on a bipartisan basis once again by the distinguished Senators from Mississippi and Hawaii, establishes a guideline without dictating its implementation. The so-called Cochran-Inouye measure simply urges the United States to deploy "as soon as it is technologically possible" a national missile defense system.

Why should Congress pass a sentence-long policy endorsing the deployment of national missile defenses? We float in an ocean of evidence that documents the emerging threat of a multistage ballistic missile attack against the United States.

Last summer, former Defense Secretary Donald Rumsfeld led a distinguished bipartisan panel in finding

that North Korea and Iran, thanks to the support of Chinese and Russian technicians, could hit the far western territories of the United States with a multistage rocket by 2003. Iraq, the commission also informed us, could obtain this capability in a decade.

Several months before the completion of the Rumsfeld Report, the Air Force released an updated ballistic missile threat assessment noting that the number of countries producing land-attack cruise missiles will increase from two to nine early in the next decade.

A 1995 National Intelligence Estimate cautioned that about 25 countries could threaten U.S. territory in less than 14 years if they acquired launch and satellite capabilities from the sky or seas.

Two years later, the CIA Director testified that Iran could have a medium-range ballistic missile by 2007. The following year, India and Pakistan exploded more powerful nuclear devices, and a North Korean multistage rocket soared over Japan.

The nonpartisan Congressional Research Service informs us that 21 countries overall possess or have ready access to chemical warheads. Another 10 nations harbor or seek inventories of biological weapons.

And among all of these states, only four lack the ballistic missiles to fire these terrifying munitions. Several more countries without weapons of mass destruction, such as Afghanistan, Algeria, Belarus, Bulgaria, Ukraine, and Yemen, nevertheless have the launchers to deliver them far beyond their borders.

Senators COCHRAN and INOUE wisely recognize this real and expanding security threat while leaving the scientific and budgetary issues involved with the deployment of missile defensive hardware to the technicians of the Pentagon who have devoted their careers to this cause.

But the Congress as a whole must take responsibility for framing priorities of policy, and no priority could loom larger than the protection of our homeland. And on this fundamental front, supporters of the Cochran-Inouye bill have extensive reinforcements.

The first reinforcement comes from the President of the United States. A 1994 Executive order declared that nuclear, biological, and chemical weapons proliferation poses an "unusual and extraordinary threat" to our national security.

Another reinforcement comes from the President's deputies. Echoing the main theme of a bill still opposed by the administration, General Joseph Ralston told the Senate Armed Services Committee last summer that the Pentagon would field a national missile defense system as soon as "technologically practical."

In this fiscal year 2000 budget submission statement increasing missile

defense accounts by \$6.6 billion over 5 years, Secretary Cohen concluded that such programs remained "critical to a broader strategy seeking to prevent, reduce, deter, and defend against weapons of mass destruction."

If the Secretary of Defense tells Congress that curbing the capacity of rogue governments to assault the United States is a "broad" security "strategy," who can doubt that the administration already has a policy of making a missile defense system operational sooner rather than later?

While this evidence of proliferation mounts by the month, our colleagues from the minority have blocked the Senate from exercising its majority will on the pending legislation because they believe that it would undermine the 1972 Anti-Ballistic Missile (ABM) Treaty between the United States and the Soviet Union.

But this bill addresses the prospect of a destructive weapons attack at any time of any intensity from any source. It primarily reflects the Second and Third World missile launch capabilities of tomorrow, not just the cold war arsenals of yesterday.

These capabilities also do not always discriminate on the basis of nationality. Russia, just as unpredictably as America, could one day fall under the threat of attack from a rogue state.

So instead of rejecting a fundamental statement of national defense, we should modernize the ABM Treaty in partnership with Moscow to ensure that both countries enjoy adequate protection against an accidental or deliberate ballistic missile strike.

As the President's Acting Under Secretary of State for Arms Control told a Senate Governmental Affairs Subcommittee nearly 2 years ago, "the determinant of our national missile defense program . . . is going to be what the threat requires." And the Threat, Mr. President, requires both the United States and Russia to prepare workable defensive networks.

At the same time that we build safeguards against attack, we must support the thirty-year negotiating process, pursued by administrations of both parties, of reducing and eliminating the prime agents of attack: long-range nuclear weapons.

For this reason, I was pleased to join Senator LANDRIEU in sponsoring an amendment to S. 257 reinforcing the United States arms control process with Russia. Despite Moscow's economic difficulties, a demoralized Russian Strategic Rocket Forces Command still maintains thousands of nuclear warheads subject to an accidental launch and the black markets of the Third World.

Our amendment, endorsed on a roll-call vote by 99 Senators, simply reaffirms the "policy of the United States to seek continued negotiated reductions in Russian nuclear forces."

As a result, S. 257 now provides America with the best defense: a twin policy to deflect a short-notice missile strike against our homeland and to redouble our efforts at reducing the size and lethality of the world's two largest nuclear arms inventories.

Finally, Mr. President, I want to highlight the relationship between an affordable and robust national missile defense system and our military modernization agenda.

We pursue modernization to harmonize technology development with anticipated security threats. Missile defense programs embody this process since the president and his experts have diagnosed an evolving but real threat in ballistic arms proliferation.

Modernization objectives require us to build new systems against a new ballistic missile threat that is less graphic than the one posed by the Soviet Union, but just as menacing to our strategic interests and economic vitality.

In this light, Mr. President, a national missile defense system will bring the United States to the threshold of defense modernization. The Cochran-Inouye bill fully acknowledges that the architecture, components, and the budget for this program, like any other one scrutinized by Congress, must pass the test of practicality without jeopardizing other important priorities such as the Pentagon's planned increase in procurement spending to \$60 billion by 2001.

Beyond this responsibility, however, we have the obligation to reconcile public policy with the evidence of arms proliferation.

Let's listen to the president, his analysts, his Defense Secretary, and his scientists.

Let's awaken to an uncertain world rumbling with launchers, warheads, and satellites whose range and power grow by the year.

And let's understand that the treaties of yesterday fail to help us shield the country against the potential attacks of tomorrow.

The statement of policy proposed by the Cochran-Inouye bill would represent a compelling step by Congress to counter the growing ballistic missile threat to America's most precious assets: her land and her people. I therefore urge all of my colleagues to vote in favor of the National Missile Defense Act of 1999.

Ms. LANDRIEU. Mr. President, the need for a national missile defense system is real. The North Korean Taepo Dong tests, the Iranian Shahab III project and the uncertainty resulting from unexpected nuclear tests in India and Pakistan underscore the palpable threat that we now confront. Today, we signify that the United States has no intention to allow its foreign and national security policies to be held hostage to weapons of terror. In this sense,

this bill will provide a real incentive against nuclear proliferation. By embracing a system of counter-measures that will grow progressively stronger in the next century, we tell the North Koreans, the Iranians and any other country thinking of threatening this nation with ballistic missiles, that those efforts will fail. They may as well spend their modest resources on something constructive for their people, because the United States intends to commit whatever resources necessary to ensure our security. That we will be able to send this message with bipartisan resolve, makes it that much stronger.

I would also like to thank my colleagues Senators LEVIN and COCHRAN for providing their leadership, guidance and wisdom on this issue. It was their flexibility and negotiation that made yesterday's amendment possible. The amendment that we adopted by a vote of 99 to nothing shows the consensus that this body shares regarding the importance of nuclear arms control. By setting deployment of a limited national missile defense and future reductions of nuclear stockpiles on equal footing, this legislation emphasizes the complimentary nature of those two key national security concerns. They are equally important, and we cannot lose sight of one for the other.

Finally, I think the compromise we have reached will signal to our Russian partners that we are serious about maintaining the progress that we have achieved. A limited national missile defense is not a threat to Russia, I would not support such an act. Instead this bill helps move both countries beyond cold war thinking. It should hearten the Russian Government to know that we will deploy a missile defense system which preserves the Russian nuclear deterrent. Again, it demonstrates how far our countries have come. It is concrete evidence that we have moved beyond a national security policy centered on containing Russian influence and countering every Russian capability.

Mr. President, I am very proud of this legislation and proud of this institution. I hope that we will use the momentum gained here for further bipartisan efforts to address serious threats to our national security.

Mr. President, I thank my ranking member, Senator LEVIN, and our sponsor, Senator COCHRAN, and my colleague, Senator SNOWE for working through this important piece of legislation.

Thank you, Mr. President.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I understand from both sides that those who are listed under the order to permit them to offer amendments do not

intend to offer the amendments, and I know of no other Senators who are seeking recognition. I would suggest that we have come to the time when we could have third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. ASHCROFT). The bill having been read the third time, the question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 97, nays 3, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—97

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Levin	Voinovich
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

NAYS—3

Durbin Leahy Wellstone

The bill (S. 257), as amended, was passed, as follows:

S. 257

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Missile Defense Act of 1999".

#### SEC. 2. NATIONAL MISSILE DEFENSE POLICY.

It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate) with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense.

#### SEC. 3. POLICY ON REDUCTION OF RUSSIAN NUCLEAR FORCES.

It is the policy of the United States to seek continued negotiated reductions in Russian nuclear forces.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I have an amendment at the desk to the title of the bill and I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows: Amend the title to read as follows: "The Cochran-Inouye National Missile Defense Act of 1999".

The PRESIDING OFFICER. The question occurs on agreeing to the amendment to amend the title.

The amendment was agreed to.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator for that kind gesture and express again my appreciation for his assistance in the development of the legislation and the passage of this bill.

By this vote, the Senate has done what has never been done before. It has passed legislation making it the policy of the United States to deploy a national missile defense system capable against rogue-state threats as soon as the technology to do so is ready.

By this action, the Senate has sent an unmistakable message around the world:

To rogue states, that America will marshal its technological resources and refuse to be vulnerable to their ballistic missile threats of coercion;

To our allies, that the United States will continue to be a reliable alliance partner;

To other nations, that no country will have any form of veto over America protecting its security interests;

To those working on the development of a national missile defense, that their work is valued and the system will be deployed just as soon as it is ready to protect America;

And most of all, to the American people, who will no longer have cause to wonder if their Government intends to fulfill its most fundamental responsibility.

In my opening statement I said we have heard many statements that have been made to reassure us about the willingness of the United States to defend itself. But there is always an "if" attached—if the threat appears, if we can afford it, if other nations give us their permission. By our actions today, we have removed what Winston Churchill called "the terrible ifs."

Without doubt, there will be other challenges ahead for national missile

defense. There will be test failures as well as successes, but we will not be deterred from continuing to test until we develop a system that works.

There will be discussions with other nations on arms control issues. But now these discussions will not begin with the question of whether America will protect itself. By this vote we have taken the necessary first step to protecting the United States from long-range ballistic missile attack.

I thank the distinguished Senator from Michigan, Mr. LEVIN, the ranking minority member on the Armed Services Committee, for his cooperation as floor manager for the minority. I also thank all Senators who came to the floor to speak on the bill, and especially those Senators who cosponsored the bill. And finally, I thank my staff members, Mitch Kugler and Dennis Ward, whose excellent assistance to me and other supporters of this legislation has been very helpful indeed.

Mr. President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak out of order for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HAPPY BIRTHDAY TO SENATOR DANIEL PATRICK MOYNIHAN

Mr. BYRD. Mr. President, today we celebrate the life of the patron saint of Ireland known popularly as Saint Patrick. Saint Patrick's given name was actually Maewyn and he was born in Wales about 385 A.D. Many of us, whether we have a drop of bonafide Irish blood or not, will have donned something green today, in honor of the great spirit and rich traditions of the Irish people, and of their substantial contributions in all walks of life to this, their adopted homeland.

Right here in the Senate we can see the brilliant legacy of the Irish gene pool personified in the physical presence of some of our most outstanding Members.

I note that one of these sons of Ireland celebrated his 72nd birthday on yesterday—merely a young lad in my eyes. That illustrious son of Ireland is none other than the Honorable DANIEL PATRICK MOYNIHAN. Although I am honored to wish this amazing gentleman the happiest of birthdays, my heart hangs heavy with the knowledge that all too soon this incredible man will be leaving this body. He has announced his retirement from the United States Senate, commencing with the end of this Congress.

In this coming year, we will celebrate his life and his achievements, but I cannot emphasize enough what a loss this body will have suffered when the senior Senator from New York, Mr.

MOYNIHAN, no longer graces this Chamber. He is, quite literally, irreplaceable.

PAT MOYNIHAN is, in every sense of the word, a giant. He has written more books than most of us have read. Often his observations have been astoundingly prophetic. From his towering intellect, to his wry wit, to the breadth of his experience in governing, to his contributions to his country, and to the world, Senator MOYNIHAN is almost without parallel in our times. He is that rare commodity to which superlatives may be applied without hesitation, and in complete honesty. Time will only enhance his legacy and his reputation.

When my own time comes to leave this august body or even to leave this beautiful blue sphere we call the great, good earth, I will count among my proudest, most important and enjoyable experiences, that of having served with the gentleman from New York.

So today, on St. Patrick's Day, I thank his ancestral nation for sending this phenomenal gentleman to us, and I congratulate DANIEL PATRICK MOYNIHAN for a life of excellence. What pride we have in him as one of our own, what pride, indeed.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INTERIM FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION ACT

Mr. MCCAIN. Mr. President, we are seeking a UC, which I expect to get sometime relatively soon—at least I hope so. If not, we will have just had a good discussion. But I think we are fairly near to making sure that it is agreeable to all Senators.

In the meantime, the Senator from Virginia is missing a very important hearing that concerns some China issues. I would like to have him recognized at this time since he has to leave the floor.

The issue is a short-term extension of 60 days of the FAA authorization, with two amendments. We are awaiting approval from the other side of the aisle before we proceed.

I yield the floor so that the Senator from Virginia can speak.

Mr. WARNER. Mr. President, I thank my colleague.

Mr. President, Senator MCCAIN and I met with the majority leader, Senator LOTT, in the past day or so to discuss the bills relating to the Nation's airports. I specifically in each of these

meetings raised those pieces of legislation that pertain specifically to National and Dulles Airports. The Senator and I have worked together for decades. We are old shipmates in some respects; slight difference in time, but, nevertheless, shipmates. We have our differences.

The purpose of this legislation today is to enable, at the request of the majority leader, a short-term, 60-day measure to go forth to extend existing legislation. But I have filed two bills with the Senate. I am going to ask now that the second bill be made a part of this extension of 60 days.

There are approximately some \$200 million currently in escrow for the combined reconstruction programs at National and Dulles Airports. That sum is yet to be disbursed. I am working to get it disbursed.

So, for the moment, Senator MCCAIN and I have agreed, together with Senator LOTT, that \$30 million of that fund can now be released subject to adoption by the Senate of this legislation, and, of course, with the concurrence in the House; but can be released to begin some very needed projects at these airports.

Mr. President, I am going to depart the floor. I have to go to the Senate Intelligence Committee. Senator MCCAIN will put this amendment in on my behalf. I think he is going to be a cosponsor on it. But essentially we are making some progress towards the release of these funds.

I thank the distinguished chairman and my good friend.

I will enter no objection to the 60-day legislation going forward.

I thank the Chair.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Arizona.

Mr. MCCAIN. Mr. President, as the Senator from Virginia leaves the floor, I will support his amendment, which allows the Metropolitan Washington Airports Authority to collection \$30 million of the PFC charge and Airport Improvement Funding Program to complete projects at the Reagan National and Dulles Airports. Full funding for those projects has been delayed until we are able to put in place our corresponding agreement on the reauthorization of the FAA.

Mr. President, I have no desire to hold up progress at either airport. I will be proposing, if we get agreement from the other side, the amendment on behalf of Senator WARNER. We have reached an agreement.

I thank the Senator.

Mr. WARNER. Mr. President, I thank my colleague.

I think it would be wise, I say to our distinguished chairman of the Commerce Committee, to advise the Senate with regard to the discussions he has had with me and others as to the future timing of the major piece of legislation